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# General Assembly

Fifty-third Session

**85**th plenary meeting
Wednesday, 9 December 1998, 3 p.m.
New York

*Official Records*

*President*: Mr. Opertti ........................................ (Uruguay)

*In the absence of the President, Mr. Semakula Kiwanuka (Uganda), Vice-President, took the Chair.*

*The meeting was called to order at 3.40 p.m.*

**Reports of the Third Committee**

**The Acting President:** The General Assembly will now consider the reports of the Third Committee on agenda items 100 to 110 and 12.

I request the Rapporteur of the Third Committee, Mr. Hassan Kassem Najem of Lebanon, to introduce the reports of the Third Committee in one intervention.

**Mr. Najem** (Lebanon), Rapporteur of the Third Committee (*interpretation from Arabic*): I have the honour to present the reports of the Third Committee on the agenda items allocated to it by the General Assembly for consideration.

On agenda item 12, entitled "Report of the Economic and Social Council", the Third Committee recommends in paragraph 8 of document A/53/614 the adoption of two draft decisions.

On agenda item 100, entitled "Social development, including questions related to the world social situation and to youth, ageing, disabled persons and the family", the Third Committee recommends in paragraph 7 of document A/53/615 the adoption of a draft resolution.

On agenda item 101, entitled "Crime prevention and criminal justice", the Third Committee recommends in paragraph 18 of document A/53/616 the adoption of five draft resolutions.

On agenda item 102, entitled "International drug control". the Third Committee recommends in paragraph 7 of document A/53/617 the adoption of a draft resolution.

On agenda item 103, entitled "Advancement of women", the Third Committee recommends in paragraph 18 of document A/53/618 the adoption of four draft resolutions.

On agenda item 104, entitled "Implementation of the outcome of the Fourth World Conference on Women", the Third Committee recommends in paragraph 10 of document A/53/619 the adoption of a draft resolution.

On agenda item 105, entitled "Report of the United Nations High Commissioner for Refugees: questions relating to refugees, returnees and displaced persons and humanitarian questions", the Third Committee recommends in paragraph 22 of document A/53/620 the adoption of six draft resolutions.

On agenda item 106, entitled "Promotion and protection of the rights of children", the Third Committee recommends in paragraph 13 of document A/53/621 the adoption of two draft resolutions and in paragraph 14 the adoption of one draft decision.

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

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I should like in this respect to draw the attention of the Assembly to two corrections to be made to the text of draft resolution II, entitled "The rights of the child". In section IV, the beginning of operative paragraph 15 should read:

> "*Underlines* the importance that relevant measures to ensure respect for the rights of the child".

The rest of the sentence should remain as it is.

Also in section IV, operative paragraph 17, the last sentence should read:

> "which will contribute towards making it possible to end impunity for the perpetrators of such crimes".

On agenda item 107, entitled "Programme of activities of the International Decade of the World's Indigenous People", the Third Committee recommends in paragraph 10 of document A/53/622 the adoption of two draft resolutions and in paragraph 11 the adoption of one draft decision.

Under agenda item 108, entitled "Elimination of racism and racial discrimination", the Third Committee recommends, in document A/53/623, paragraph 17, the adoption of three draft resolutions.

I wish to draw the attention of the Assembly to paragraph 7 of the report contained in document A/53/624, which refers to the discussion in the Committee of draft resolution A/C.3/53/L.17, entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination". In that paragraph, the appearance of Brunei Darussalam among the list of sponsors is a technical error. Brunei Darussalam should be deleted from the list of sponsors of the draft resolution.

Under agenda item 110, entitled "Human rights questions", the Third Committee recommends in document A/53/625, paragraph 4, the adoption of a draft decision.

Under agenda item 110 (a), entitled "Human rights questions: Implementation of human rights instruments", the Third Committee recommends in document A/53/625/Add.1, paragraph 21, the adoption of three draft resolutions.

Under agenda item 110 (b), entitled "Human rights questions: Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", the Third Committee recommends in document A/53/625/Add.2, paragraph 49, the adoption of 16 draft resolutions.

Under agenda item 110 (c), entitled "Human rights questions: Human rights situations and reports of special rapporteurs and representatives", the Third Committee recommends in document A/53/625/Add.3, paragraph 55, the adoption of 10 draft resolutions. In this respect, I would like to draw the attention of the Assembly to paragraph 8 of the report, in which the following sentence should be inserted at the end of the paragraph:

> "At the same meeting, it was announced that the text, as orally revised, would be tabled as a Chairman's text."

Under agenda item 110 (d), entitled "Human rights questions: Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action", the Third Committee recommends in document A/53/625/Add.4, paragraph 7, the adoption of one draft resolution.

Under agenda item 110 (e), entitled "Human rights questions: Report of the Office of the United Nations High Commissioner for Human Rights", the Third Committee recommends in document A/53/625/Add.5, paragraph 10, the adoption of one draft resolution.

This year the Third Committee adopted 59 draft resolutions, only nine of which were adopted by recorded vote. This means there has been important progress towards finding understanding and improving coordination for the adoption by consensus of the majority of draft resolutions in the future.

**The Acting President:** If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Third Committee that are before the Assembly today.

*It was so decided.*

**The Acting President:** Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Third Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Third Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Third Committee, unless the Secretariat is notified otherwise in advance.

This means that where the Committee took recorded votes and separate votes, we will do the same.

I should also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Third Committee.

## Agenda item 100

## Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family

### Report of the Third Committee (A/53/615)

**The Acting President:** The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report.

The Third Committee adopted the draft resolution, entitled "International Year of Older Persons, 1999", without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted* (resolution 53/109).

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 100?

*It was so decided.*

## Agenda item 101

## Crime prevention and criminal justice

### Report of the Third Committee (A/53/616)

**The Acting President**: The Assembly will now take a decision on the five draft resolutions recommended by the Third Committee in paragraph 18 of its report.

We turn first to draft resolution I, entitled "Preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders".

The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 53/110).

**The Acting President**: The Third Committee adopted draft resolution II, entitled "Transnational organized crime", without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution II was adopted* (resolution 53/111).

**The Acting President**: Draft resolution III is entitled "Mutual assistance and international cooperation in criminal matters".

The Third Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted* (resolution 53/112).

**The Acting President**: The Third Committee adopted draft resolution IV, entitled "United Nations African Institute for the Prevention of Crime and the Treatment of Offenders", without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution IV was adopted* (resolution 53/113).

**The Acting President**: Draft resolution V is entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity".

The Third Committee adopted draft resolution V without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution V was adopted* (resolution 53/114).

**The Acting President**: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 101?

*It was so decided.*

### Agenda item 102

### International drug control

### Report of the Third Committee (A/53/617)

**The Acting President**: The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report.

The Third Committee adopted the draft resolution, entitled "International cooperation against the world drug problem", without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted* (resolution 53/115).

**The Acting President**: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 102?

*It was so decided.*

### Agenda item 103

### Advancement of women

### Report of the Third Committee (A/53/618)

**The Acting President**: The Assembly has before it four draft resolutions recommended by the Third Committee in paragraph 18 of its report.

We turn first to draft resolution I, entitled "Traffic in women and girls", which the Third Committee adopted without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 53/116).

**The Acting President**: The Third Committee adopted draft resolution II, entitled "Traditional or customary practices affecting the health of women and girls", without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution II was adopted* (resolution 53/117).

**The Acting President:** The Third Committee adopted draft resolution III, entitled "Convention on the Elimination of All Forms of Discrimination against Women", without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted* (resolution 53/118).

**The Acting President:** The Third Committee adopted draft resolution IV, entitled "Improvement of the status of women in the Secretariat", without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution IV was adopted* (resolution 53/119).

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 103?

*It was so decided.*

### Agenda item 104

### Implementation of the outcome of the Fourth World Conference on Women

### Report of the Third Committee (A/53/619)

### Amendment (A/53/L.69)

**The Acting President:** The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 10 of its report. In this connection, the General Assembly also has before it an amendment thereto contained in document A/53/L.69.

In accordance with rule 90 of the rules of procedure, the amendment is voted on first. The Assembly will therefore take a decision first on the amendment contained in document A/53/L.69. The additional sponsors of the amendment are Algeria, Bangladesh, Egypt, the Islamic Republic of Iran, Lesotho, Malaysia, Namibia, Nigeria, Pakistan, South Africa, the Sudan, Swaziland, the United Republic of Tanzania, Zambia and Zimbabwe.

May I take it that the General Assembly wishes to adopt the amendment contained in document A/53/L.69?

*The amendment was adopted.*

**The Acting President:** The draft resolution, entitled "Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action", was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to adopt the draft resolution, as amended?

*The draft resolution, as amended, was adopted* (resolution 53/120).

**The Acting President:** I call on the representative of the Russian Federation, who wishes to speak in explanation of position on the resolution just adopted.

**Mr. Zmeevski** (Russian Federation) (*interpretation from Russian*): The delegation of the Russian Federation is compelled to speak on document A/53/L.69, issued today, which contains an amendment to the draft resolution of the Third Committee contained in paragraph 10 of document A/53/619.

While we have no objection to the substantive change contained in the document, we believe that it is necessary to discuss and coordinate amendments in advance with all regional groups, particularly when we are considering the introduction of changes into a draft resolution that has already been endorsed by the Third Committee. We hope that the Bureau and the Secretariat will take the necessary steps so that in the future we may avoid similar situations, which do not promote consensus positions.

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 104?

*It was so decided.*

## Agenda item 105

## Report of the United Nations High Commissioner for Refugees: questions relating to refugees, returnees and displaced persons and humanitarian questions

### Report of the Third Committee (A/53/620)

**The Acting President:** The Assembly will now take a decision on the six draft resolutions recommended by the Third Committee in paragraph 22 of its report.

We turn first to draft resolution I, entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees", which the Third Committee adopted without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution I was adopted* (resolution 53/121).

**The Acting President**: The Third Committee adopted draft resolution II, entitled "Assistance to unaccompanied refugee minors", without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted* (resolution 53/122).

**The Acting President**: The Third Committee adopted draft resolution III, entitled "Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States", without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted* (resolution 53/123).

**The Acting President**: The Third Committee adopted draft resolution IV, entitled "New international humanitarian order", without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution IV was adopted* (resolution 53/124).

**The Acting President**: The Third Committee adopted draft resolution V, entitled "Office of the United Nations High Commissioner for Refugees", without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution V was adopted* (resolution 53/125).

**The Acting President**: The Third Committee adopted draft resolution VI, entitled "Assistance to refugees, returnees and displaced persons in Africa", without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution VI was adopted* (resolution 53/126).

**The Acting President**: I call on the representative of Armenia point of order.

**Mr. Abelian** (Armenia): I would like to make the following points in reference to the report contained in document A/53/620.

On page 2 of the document, the list of documents that were before the Third Committee for consideration refers, under sub-item (j), to a letter dated 17 November 1998 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, contained in document A/C.3/53/16. That letter and its annex were published in violation of the rules of procedure of the General Assembly and of the provisions of relevant General Assembly resolutions, particularly those on the pattern of conferences.

I wish to draw to the attention of the General Assembly the fact that no undelivered statement can be published in the six official languages of the General Assembly. The secretariat of the Third Committee should at least have consulted the Bureau and elicited a decision of the General Assembly or the Third Committee. The provisions for publishing undelivered statements were only for the Special Political Committee and were discouraged by General Committee recommendation to the General Assembly.

**The Acting President**: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 105?

*It was so decided.*

### Agenda item 106

### Promotion and protection of the rights of children

### Report of the Third Committee (A/53/621)

**The Acting President**: The Assembly now has before it two draft resolutions recommended by the Third Committee in paragraph 13 of the report and one draft decision recommended by the Third Committee in paragraph 14 of the same report.

I call on the representative of the Russian Federation on a point of order.

**Mr. Zmeevski** (Russian Federation) (*interpretation from Russian*): I would like to express the wish of our delegation to become a sponsor of draft resolution II, contained in document A/53/621.

**The Acting President**: I call on the representative of Argentina on a point of order.

**Mr. Bocalandro** (Argentina) (*interpretation from Spanish*): The Argentine Republic cosponsored draft resolution A/C.3/53/L.15 in the Third Committee, but our name is not included in the list of sponsors of draft resolution I, now before the Assembly. I would be most grateful to have our country's name included.

**The Acting President**: I call on the representative of Cuba on a point of order.

**Mr. Reyes Rodríguez** (Cuba)(*interpretation from Spanish*): This same problem is going to involve all the Latin American countries. The Chairman of the regional group at that time signed the draft resolution on the rights of the child on behalf of all the countries of the Latin American Group. Yet Cuba and many other Latin American countries do not appear as sponsors of the draft resolution on the rights of the child. The names of all the members of the Latin American Group should be included among the sponsors.

**The Acting President**: I call on the representative of El Salvador on a point of order.

**Mr. García González** (El Salvador)(*interpretation from Spanish*): I wish to support the point made by the representative of Cuba.

**The Acting President**: I call on the representative of the Sudan on a point of order.

**Mrs. Ahmed** (Sudan)(*interpretation from Arabic*): I wish to request that the name of my country be added to the list of sponsors of draft resolution II, on the rights of the child.

**The Acting President:** The requests of delegations will be reflected in the record.

The Assembly has before it two draft resolutions recommended by the Third Committee in paragraph 13 of its report (A/53/621) and one draft decision recommended by the Third Committee in paragraph 14 of the same report.

We turn first to draft resolution I, which is entitled "The girl child".

The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 53/127).

**The Acting President:** Draft resolution II is entitled "The rights of the child".

The Third Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to adopt draft resolution II, as orally corrected by the Rapporteur?

*Draft resolution II was adopted* (resolution 53/128).

**The Acting President:** The Assembly will now take a decision on the draft decision entitled "Report of the Secretary-General on the status of the Convention on the Rights of the Child".

May I consider that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

*The draft decision was adopted.*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 106?

*It was so decided.*

## Agenda item 107

## Programme of activities of the International Decade of the World's Indigenous People

### Report of the Third Committee (A/53/622)

**The Acting President:** The Assembly will now take a decision on the two draft resolutions recommended by the Third Committee in paragraph 10 of its report and the draft decision recommended by the Third Committee in paragraph 11 of the same report.

We turn first to draft resolution I, entitled "International Decade of the World's Indigenous People".

The Third Committee adopted draft resolution I without a vote. May I consider that the Assembly wishes to do likewise?

*Draft resolution I was adopted* (resolution 53/129).

**The Acting President:** The Third Committee adopted draft resolution II, entitled "United Nations Voluntary Fund for Indigenous Populations", without a vote. May I consider that the Assembly wishes to do likewise?

*Draft resolution II was adopted* (resolution 53/130).

**The Acting President:** The Assembly will now take a decision on the draft decision, entitled "Report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations".

May I take it that the General Assembly wishes to adopt the draft decision recommended by the Third Committee?

*The draft decision was adopted.*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 107?

*It was so decided.*

## Agenda item 108

## Elimination of racism and racial discrimination

### Report of the Third Committee (A/53/623)

### Report of the Fifth Committee (A/53/727)

**The Acting President:** The Assembly will now take a decision on the three draft resolutions recommended by the Third Committee in paragraph 17 of its report.

The report of the Fifth Committee on the programme budget implications of draft resolution I is contained in document A/53/727.

We turn first to draft resolution I, entitled "International Convention on the Elimination of All Forms of Racial Discrimination", which the Third Committee adopted without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution I was adopted* (resolution 53/131).

**The Acting President:** Draft resolution II is entitled "Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance".

The Third Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution II was adopted* (resolution 53/132).

**The Acting President:** Draft resolution III is entitled "Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance".

The Third Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted* (resolution 53/133).

**The Acting President:** The General Assembly has thus concluded this stage of its consideration of agenda item 108.

**Agenda item 109**

**Right of peoples to self-determination**

**Report of the Third Committee (A/53/624)**

**The Acting President:** The Assembly will now take a decision on the three draft resolutions recommended by the Third Committee in paragraph 14 of its report.

We turn first to Draft resolution I, entitled "Universal realization of the right of peoples to self-determination".

The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 53/134).

**The Acting President:** Draft resolution II is entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination".

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Albania, Austria, Belgium, Canada, Denmark, Finland, Germany, Hungary, Iceland, Italy, Japan, Luxembourg, Micronesia (Federated States of), Netherlands, Norway, Sweden, United Kingdom of

Great Britain and Northern Ireland, United States of America

*Abstaining:*

Andorra, Argentina, Australia, Bulgaria, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Estonia, France, Greece, Ireland, Israel, Kazakhstan, Latvia, Liechtenstein, Lithuania, Marshall Islands, Monaco, New Zealand, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, the former Yugoslav Republic of Macedonia, Ukraine, Uzbekistan, Vanuatu

*Draft resolution II was adopted by 115 votes to 18, with 35 abstentions* (resolution 53/135).

[Subsequently, the delegations of Angola and Bangladesh informed the Secretariat that they had intended to vote in favour; the delegation of Malta had intended to abstain.]

**The Acting President:** Draft resolution III is entitled "The right of the Palestinian people to self-determination".

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Israel, United States of America

*Abstaining:*

Fiji, Georgia, Marshall Islands, Micronesia (Federated States of), Uruguay, Uzbekistan

*Draft resolution III was adopted by 162 votes to 2, with 6 abstentions* (resolution 53/136).

[Subsequently, the delegation of Angola informed the Secretariat that it had intended to vote in favour.]

**The Acting President:** I now call on the representative of Australia, who wishes to make a statement in explanation of vote after the voting.

**Ms. Kerr** (Australia): Australia is deeply concerned about the activities of mercenaries and at the potential for instability brought about by their use. Australia has already taken steps to legislate against mercenaries in its Crimes, Foreign Incursions and Recruitment Act, which prohibits the training, financing and use of mercenaries in Australia.

Given the nature of the problem of mercenaries, Australia also considers that international cooperation is required to address this significant global issue. The Australian Government is therefore taking steps to accede to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, and urges other countries to do likewise. When it enters into force, the Convention will provide an effective legal regime to enhance international cooperation for the prevention of recruitment and use of mercenaries.

Australia therefore supports strongly the call, in operative paragraph 4 of resolution 53/135, on all States that have not yet done so to consider taking the necessary action to become parties to the Convention.

However, Australia is unable to support the resolution as a whole, because of the language used in other operative paragraphs, which divert the focus of the resolution from the use of mercenaries to extraneous issues.

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 109?

*It was so decided.*

**Agenda item 110**

**Human rights questions**

**Report of the Third Committee (A/53/625)**

**The Acting President:** The Assembly will now take a decision on the draft decision recommended by the Third Committee in paragraph 4 of its report.

The draft decision is entitled "Documents considered by the General Assembly in connection with the question of human rights".

May I take it that the Assembly wishes to adopt the draft decision recommended by the Third Committee?

*The draft decision was adopted.*

**(a) Implementation of human rights instruments**

**Report of the Third Committee (A/53/625/Add.1)**

**Report of the Fifth Committee (A/53/728)**

**The Acting President:** The Assembly will now proceed to take a decision on the three draft resolutions recommended by the Third Committee in paragraph 21 of its report.

The report of the Fifth Committee on the programme budget implications of draft resolution III is contained in document A/53/728.

I call on the representative of the Sudan, who wishes to speak in explanation of vote before the voting.

**Mrs. Ahmed** (Sudan) (*interpretation from Arabic*): My delegation wishes to explain its vote on paragraph 26 of draft resolution II, contained in document A/53/625/Add.1. My delegation believes that the human rights treaty bodies have specific legal obligations and a direct relationship with the parties to them, while the Commission on Human Rights and its bodies are political or diplomatic in character, having their own functions in this respect. Therefore, in order to maintain the special character of these bodies and to prevent any confusion about their functions and characters, my delegation will vote against paragraph 26.

**The Acting President:** We shall now take action on draft resolution I, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families".

The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 53/137).

**The Acting President:** Draft resolution II is entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights".

A separate vote has been requested on operative paragraph 26 of draft resolution II.

I see no objection to that request.

I shall therefore first put to the vote operative paragraph 26.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Cameroon, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Zambia, Zimbabwe

*Against:*

Cuba, Democratic People's Republic of Korea, Gabon, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Sudan

*Abstaining:*

Algeria, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Bhutan, Brunei Darussalam, Cape Verde, Central African Republic, Chad, China, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Fiji, Georgia, Grenada, Guinea-Bissau, Guyana, Indonesia, Jamaica, Jordan, Lao People's Democratic Republic, Lebanon, Malaysia, Mali, Mauritania, Myanmar, Niger, Pakistan, Papua New Guinea, Saint Lucia, Saudi Arabia, Singapore, Sri Lanka, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Viet Nam, Yemen

*Operative paragraph 26 was retained by 104 votes to 7, with 44 abstentions.*

[Subsequently, the delegation of Gabon informed the Secretariat that it had intended to abstain.]

**The Acting President:** The Third Committee adopted draft resolution II, as a whole, without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution II, as a whole, was adopted* (resolution 53/138).

**The Acting President:** We shall now turn to draft resolution III, entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

The Third Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution III was adopted* (resolution 53/139).

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 110?

*It was so decided.*

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

**Report of the Third Committee (A/53/625/Add.2)**

**Amendment (A/53/L.70)**

**The Acting President:** The Assembly has before it 16 draft resolutions recommended by the Third Committee in paragraph 49 of its report and an amendment to draft resolution XV, contained in document A/53/L.70.

I now call on the representative of South Africa to introduce the amendment contained in document A/53/L.70.

**Mr. Mofokeng** (South Africa): In addition to introducing the amendment, I should like to orally revise the written amendment in accordance with agreement reached in informal consultations.

I invite the attention of the Assembly to the new paragraph 1 as it appears in document A/53/L.70. The oral revision is to delete all the words from "Recalls" in the first line to "and" in the second line, so that the new paragraph 1 would read:

> "*Welcomes* the decision of the Commission to continue the consideration of this question at its fifty-fifth session".

**The Acting President:** I call on the representative of Egypt, who wishes to speak in explanation of position before action is taken.

**Ms. Mekhemar** (Egypt): With regard to draft resolution V, entitled "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms", under agenda item 110 (b), we would like to draw the attention of the Assembly to the joint declaration contained in document A/53/679, which reflects the position of the countries listed in paragraph 16 of document A/53/625/Add.2 on the draft resolution and the Declaration annexed to it.

**The Acting President:** I shall put the 16 draft resolutions and the amendment, which has been orally revised, to the Assembly one by one. After all the decisions have been taken, representatives will again have the opportunity to explain their vote.

We turn first to draft resolution I, entitled "Elimination of all forms of religious intolerance".

The Third Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution I was adopted* (resolution 53/140).

**The Acting President:** We turn now to draft resolution II, entitled "Human rights and unilateral coercive measures".

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

*Abstaining*:

Armenia, Cyprus, Kazakhstan, Kyrgyzstan, Malta, Marshall Islands, Nicaragua, Tajikistan, Ukraine, Uzbekistan

*Draft resolution II was adopted by 110 votes to 45, with 10 abstentions* (resolution 53/141).

[Subsequently, the delegation of Gabon informed the Secretariat that it had intended to abstain.]

**The Acting President:** We turn now to draft resolution III, entitled "Strengthening of the rule of law".

The Third Committee adopted the draft resolution without a vote. May I take that the Assembly wishes to do likewise?

*Draft resolution III was adopted* (resolution 53/142).

**The Acting President:** Draft resolution IV is entitled "Respect for the right to universal freedom of travel and the vital importance of family reunification".

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mauritius, Mexico, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Angola, United States of America

*Abstaining*:

Albania, Andorra, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

*Draft resolution IV was adopted by 103 votes to 2, with 66 abstentions* (resolution 53/143).

[Subsequently, the delegation of Angola informed the Secretariat that it had intended to vote in favour.]

**The Acting President:** We turn now to draft resolution V, entitled, "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms".

Draft resolution V was adopted by the Third Committee without a vote. May I take it that the Assembly too wishes to adopt the draft resolution?

*Draft resolution V was adopted* (resolution 53/144).

**The Acting President:** Draft resolution VI is entitled "Situation of human rights in Cambodia".

The Third Committee adopted draft resolution VI without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution VI was adopted* (resolution 53/145).

**The Acting President:** Draft resolution VII is entitled "Human rights and extreme poverty".

The Third Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution VII was adopted* (resolution 53/146).

**The Acting President:** We now turn to draft resolution VIII, entitled "Extrajudicial, summary or arbitrary executions".

The Third Committee adopted draft resolution VIII without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution VIII was adopted* (resolution 53/147).

**The Acting President:** Draft resolution IX is entitled "Regional arrangements for the promotion and protection of human rights".

The Third Committee adopted draft resolution IX without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution IX was adopted* (resolution 53/148).

**The Acting President:** Draft resolution X is entitled "Strengthening of United Nations actions in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity".

The Third Committee adopted draft resolution X without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution X was adopted* (resolution 53/149).

**The Acting President:** Draft resolution XI is entitled "Question of enforced or involuntary disappearances".

Draft resolution XI was adopted by the Third Committee without a vote. May I take it that the Assembly wishes also to adopt the draft resolution?

*Draft resolution XI was adopted* (resolution 53/150).

**The Acting President:** Draft resolution XII is entitled "Follow-up to the United Nations Year for Tolerance".

The Third Committee adopted draft resolution XII without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution XII was adopted* (resolution 53/151).

**The Acting President:** Draft resolution XIII is entitled "The human genome and human rights".

Draft resolution XIII was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to adopt the draft resolution?

*Draft resolution XIII was adopted* (resolution 53/152).

**The Acting President:** Draft resolution XIV is entitled "United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights".

The Third Committee adopted draft resolution XIV without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution XIV was adopted* (resolution 53/153).

**The Acting President:** The Assembly will now turn to draft resolution XV, entitled "Enhancement of international cooperation in the field of human rights", and to the amendment to that draft resolution contained in document A/53/L.70, as orally revised.

Under rule 90 of the rules of procedure, the amendment is voted on first. The Assembly will therefore take a decision first on the amendment contained in document A/53/L.70, as orally revised.

May I take it that the General Assembly wishes to adopt the amendment to draft resolution XV contained in document A/53/L.70, as orally revised?

*The amendment, as orally revised, was adopted.*

**The Acting President:** Draft resolution XV was adopted by the Third Committee without a vote.

May I take it that the Assembly wishes to adopt draft resolution XV, as amended?

*Draft resolution XV, as amended, was adopted* (resolution 53/154).

**The Acting President:** Draft resolution XVI is entitled "Right to development".

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

United States of America

*Abstaining:*

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland

*Draft resolution XVI was adopted by 125 votes to 1, with 42 abstentions* (resolution 53/155).

[Subsequently, the delegations of Azerbaijan and Bahrain informed the Secretariat that they had intended to vote in favour, and the delegation of the Czech Republic had intended to abstain.]

**The Acting President:** I shall now call on those representatives who wish to speak in explanation of vote or position on the resolutions just adopted.

**Ms. King** (United States of America): In the Third Committee, the United States delegation voted against draft resolution XVI, on the right to development, and did so again here in plenary meeting. We had hoped until the final stages of consultations before the Committee took action that we would be able to negotiate compromises that would have allowed us to join consensus. We believe that the effort failed because the draft resolution was not circulated in time for all of the contentious issues to be worked out. As members know, this draft resolution was the last to be addressed by the Third Committee, and the session was extended several times because of it.

While there is much in the resolution that we support, the United States voted against it because of profound disagreement on the following points. We do not agree that international macroeconomic policy-making, globalization and debt relief are proper subjects for consideration in the various United Nations human rights forums. Other United Nations forums exist with responsibility for these issues.

We believe it is wrong, and dangerously misleading, to pin the blame for long-standing problems of food, health, education and unemployment on the current international financial difficulties. These problems existed long before the global financial crisis and will continue long after the crisis has passed, unless we confront them squarely, understand their fundamental roots and deal with them through the fundamental structural measures that we all know are required.

We do not support a convention on the right to development. There are many United Nations agencies devoted to development activities, and we believe that promotion of development appropriately belongs with them. By the same token, we do not support adding to the mandate of the High Commissioner for Human Rights burdensome new mandates in the field of development, which are already being pursued by the appropriate United Nations development agencies. Apart from being wasteful and duplicative, this will divert scarce resources from human rights activities for which the High Commissioner has an exclusive mandate.

We also regret that the resolution fails to note an essential point agreed upon at the Vienna World Conference on Human Rights: that the lack of development cannot be invoked to justify an abridgement of internationally recognized human rights.

Five years after the first consensus statement in Vienna on this subject, and after a consensus resolution at the United Nations Commission on Human Rights, we believed developing and developed countries alike would be able to proceed another step towards a more complete understanding of what the right to development means and how to work together towards its realization. We are disappointed that consensus was broken. We hope that all delegations will take time to reflect on how we can retain the spirit of cooperation that prevails on development issues when we return to the Commission on Human Rights next March in Geneva.

**Mr. Felten** (Germany): With regard to resolution 53/152, entitled "The human genome and human rights", I would like to draw the attention of the Assembly to the explanation of vote that the German delegation made on the occasion of the adoption of this draft resolution in the Third Committee.

For the reasons set out in that explanation, Germany is not yet in a position to decide upon the implementation of the Universal Declaration on the Human Genome and Human Rights.

**The Acting President**: We have heard the last speaker in explanation of vote.

May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (b) of agenda item 110?

*It was so decided.*

## (c) Human rights situations and reports of special rapporteurs and representatives

### Report of the Third Committee (A/53/625/Add.3)

**The Acting President**: I shall now call on those representatives who wish to explain their votes or positions before the voting on the 10 draft resolutions contained in document A/53/625/Add.3.

**Mr. Al-Ethary** (Yemen) (*interpretation from Arabic*): My delegation wishes to explain its vote on the draft resolutions before the Assembly.

The democratic process that began in my country after unification in 1990 has consecrated human rights in Yemen, constitutionally, legally and in practice. This process has also been conducive to a widespread climate of political freedom and freedom of the press — there are more than 100 newspapers and party bulletins and over 17 political parties and organizations in the country. This democratic process has been promoted by parliamentary elections that were declared fair and free by hundreds of international observers.

Yemen therefore wishes to stress its commitment to human rights conventions and instruments. At the same time, it denounces all violations of human rights whenever and wherever they occur. However, the Arab Republic of Yemen has noticed that the issue of human rights has been treated in a politicized and selective way. This has compelled my delegation to abstain in the voting on all draft resolutions on human rights, with the exception of those adopted by consensus. Accordingly, we abstained in the voting in the Third Committee on the draft resolutions contained in document A/53/625/Add.3 for the following reasons.

First, we abstained in the voting because of the politicization of human rights issues and their use as political tools to pursue economic, commercial and other interests.

Secondly, we abstained because of the use of human rights issues as a pretext to interfere in the internal affairs of States in order to impose hegemony or a state of political dependency on other countries.

We abstained, thirdly, because of double standards and criteria, fourthly, because of the selective approach in investigating shortcomings with regards to human rights and, fifthly, because of the disregard for the right of development and the underemphasis on its direct impact on human rights.

**Mr. Kamal** (Pakistan): My delegation wishes to explain its position on draft resolution X, contained in document A/53/625/Add.3, entitled "Situation of human rights in Afghanistan".

We fully understand that the human rights situation in various parts of Afghanistan is a cause of international concern. We are confident that this situation will improve once peace returns to that war-ravaged country, and we urge reconciliation within Afghanistan through realistic compromise and mutual accommodation. We also call for international engagement and dialogue with Afghanistan to promote the objectives of humanitarianism, human rights and peace.

Pakistan fully supports the efforts of the United Nations and the Organization of the Islamic Conference for the restoration of durable peace in Afghanistan. We believe, however, that the cessation of all outside interference inside Afghanistan is a prerequisite for the realization of this objective. In order to strengthen its role as an impartial mediator in Afghanistan, the United Nations needs to adopt the vacant-seat formula for the representation of Afghanistan, as has been implemented by the Organization of the Islamic Conference.

Pakistan strongly condemned the killing of the Iranian personnel seized in Mazar-e-Sharif. Those responsible for these outrageous killings must be punished. We are encouraged that during the recent visit of the Secretary-General's Special Envoy, the authorities in Kabul agreed to the establishment of commissions of inquiry to investigate the killing of Iranian personnel in Mazar-e-Sharif — a crime from which they have already dissociated themselves — as well as other killings.

The United Nations needs urgently to initiate the process for establishing these commissions. Besides the visit of the commissions of inquiry, the return of United Nations workers to Afghanistan and the stationing of United Nations monitors in major cities of Afghanistan would help in preventing the recurrence of such unfortunate incidents in the future.

In the Third Committee my delegation expressed its dissatisfaction with the interim report of the Special Rapporteur on Afghanistan. Paragraph 3 of that interim report clearly states that the Special Rapporteur was "unable to travel to Afghanistan and Pakistan" (*A/53/539, para.3)* due to security considerations. We are unable to understand the reference to Pakistan. I myself, at least, am not aware of any security situation in Pakistan that could have prevented the Special Rapporteur from undertaking a visit to Islamabad.

What is clear, however, is that the Special Rapporteur did not visit Afghanistan. It is obvious, then, that the interim report was written somewhere else. It therefore contains merely allegations and counter-allegations, based on hearsay and bereft of any on-the-spot investigation whatsoever. Despite this serious flaw, the Special Rapporteur has regrettably deemed it appropriate to draw conclusions and to express shock and dismay at the situation in the country. How has he arrived at these conclusions, and on the basis of what evidence and what investigations?

My delegation cannot associate itself with an unsubstantiated report from a Special Rapporteur who failed even to appear before the Committee to explain how he had arrived at his conclusions without any investigation.

For these reasons, my delegation disassociated itself from the consideration of the draft resolution on "The question of human rights in Afghanistan" in the Third Committee on 20 November 1998. My delegation wishes to reiterate the same position in the plenary as well.

I would request that this statement be included in the official proceedings of the General Assembly.

**Mr. Nesho** (Albania): I should like to speak in explanation of vote before the voting on draft resolution IX, entitled "Situation of human rights in Kosovo".

Albania has for a number of years been the main author of the resolution entitled "Situation of human rights in Kosovo". Since 1992, the General Assembly has addressed the situation of human rights in Kosovo with particular concern through its resolutions 47/147, 48/153, 49/204, 50/190, 51/111 and 52/139.

Unfortunately, despite this continuous attention, a second Bosnia tragedy is in the making in Kosovo, which the international community has not been able to prevent. The year 1998 has become the year of the "ethnic cleansing" of the Kosovo Albanians, and the situation there has taken on the dimensions of a real threat to international peace and security, as already defined in Security Council resolutions 1160 (1998), 1199 (1998) and 1203 (1998).

Since the beginning of this year, the Serbian military and police forces have been carrying out military attacks against the Albanian population in Kosovo. The consequences of this policy have been appalling. First, wanton and summary executions have caused the death of thousands of innocent people, who were massacred, mutilated and beheaded. Among them were pregnant women, children, and elderly and sick people.

Secondly, the intentional shelling and burning of Albanian villages has destroyed one-third of the houses and forced more than 300,000 people to flee. Thirdly, a catastrophic humanitarian situation has developed, with people living in the open, without food, shelter or medical assistance.

The Albanian delegation would like from the outset to thank the United States of America for taking the lead this year and for its great efforts to reach a broad agreement on this issue. My delegation was actively involved in the whole process of negotiations and was prepared and willing to become a co-sponsor of this draft resolution, given the fact that Albania has been its main author for years, the relevance of this issue, and the situation of 2 million Albanians in Kosovo.

Unfortunately, Albania was not able to co-sponsor the draft resolution this year. Despite our great and constructive efforts, the sponsors of this draft could not accommodate our principled position on a number of issues.

First, the draft resolution took out the reference to the respect of the will of the inhabitants of Kosovo — operative paragraph 16 — which has been the core element of the previous resolutions on the human rights situation in Kosovo adopted by the General Assembly. The Albanian delegation is of the opinion that no sustainable solution to the conflict in Kosovo can be found without respecting the will of the Kosovar Albanians.

Secondly, the draft resolution fails to take into consideration the fact that the Kosovar Albanians have for nine years organized a peaceful resistance to the Serbian oppression and State terror. For nine years, the Albanians did not commit a single act of violence despite persecution, torture, deprivation, illegal detention and the negation of all human rights by the Belgrade regime.

In the face of this year's Serbian military and police attack, which threatened their basic right to life, the Kosovar Albanians were obliged to resist through self-defence. The sixth preambular paragraph and operative paragraphs 6 and 9 do not reflect the reality on the ground. If the sixth preambular paragraph and operative paragraphs 6, 9 and 16 were to be put to the vote separately, the Albanian delegation would vote against them.

Given the importance of the issue and the fact that this is the only draft resolution of the General Assembly which addresses the situation of human rights in Kosovo, the Albanian delegation will vote in its favour.

We would kindly ask the Secretariat that this statement be placed on record.

**The Acting President:** The statement by the representative of Albania will be reflected in the record.

The Assembly has before it 10 draft resolutions recommended by the Third Committee in paragraph 55 of its report. I shall put the 10 draft resolutions to the General Assembly one by one. After all decisions have been taken, representatives will again have the opportunity to explain their votes.

The Assembly will first turn to draft resolution I, entitled "Situation of human rights in Rwanda".

The Third Committee adopted draft resolution I without a vote. May I take it the Assembly wishes to do the same?

*Draft resolution I was adopted* (resolution 53/156).

**The Acting President:** Draft resolution II is entitled "Situation of human rights in Iraq".

A separate vote has been requested on operative paragraphs 4, 13, 15 and 17 of draft resolution II.

Are there any objections to that request?

There are none.

I shall now put to the vote operative paragraphs 4, 13, 15 and 17, on which a separate vote has been requested.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Saudi Arabia, Senegal, Slovakia, Slovenia, Solomon Islands, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Zambia

*Against*:

Libyan Arab Jamahiriya, Sudan

*Abstaining*:

Afghanistan, Algeria, Angola, Bangladesh, Belarus, Benin, Brunei Darussalam, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Fiji, Gabon, Ghana, Guinea-Bissau, India, Indonesia, Jordan, Lao People's Democratic Republic, Lebanon, Malaysia, Mali, Mauritania, Mexico, Morocco, Myanmar, Namibia, Nepal, Niger, Nigeria, Pakistan, Papua New Guinea, Philippines, Russian Federation, Saint Lucia, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tunisia, United Arab Emirates, Viet Nam

*Operative paragraphs 4, 13, 15 and 17 of draft resolution II were retained by 93 votes to 2, with 57 abstentions.*

**The Acting President:** I now put to the vote draft resolution II as a whole.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Swaziland, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Zambia

*Against:*

Libyan Arab Jamahiriya, Nigeria, Sudan

*Abstaining:*

Afghanistan, Algeria, Bahrain, Bangladesh, Benin, Brunei Darussalam, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, India, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Malaysia, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Pakistan, Papua New Guinea, Philippines, Saint Lucia, Sierra Leone, Singapore, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Togo, Tunisia, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zimbabwe

*Draft resolution II, as a whole, was adopted by 103 votes to 3, with 56 abstentions* (resolution 53/157).

**The Acting President:** We turn now to draft resolution III, entitled "Situation of human rights in the Islamic Republic of Iran".

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Algeria, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia

*Against:*

Afghanistan, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Brunei Darussalam, China, Comoros, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ghana, India, Indonesia, Iran (Islamic Republic of), Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Morocco, Myanmar, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Tunisia, Turkmenistan, Viet Nam, Zimbabwe,

*Abstaining:*

Albania, Angola, Antigua and Barbuda, Bhutan, Botswana, Cameroon, Cape Verde, Central African Republic, Chad, Colombia, Côte d'Ivoire, Cyprus, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Guinea, Guinea-Bissau, Guyana, Jamaica, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Mali, Mauritania, Mexico, Mozambique, Namibia, Nepal, Nicaragua, Panama, Papua New Guinea, Republic of Korea, Republic of Moldova, Saint Kitts and Nevis, Saint Lucia, Senegal, Singapore, South Africa, Suriname, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela

*Draft resolution III was adopted by 64 votes to 41, with 56 abstentions* (resolution 53/158).

**The Acting President:** Draft resolution IV is entitled "Situation of human rights in Haiti".

The Third Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution IV was adopted* (resolution 53/159).

**The Acting President:** Draft resolution V is entitled "Situation of human rights in the Democratic Republic of the Congo".

I call on the representative of Austria on a point or order.

**Mr. Theuermann** (Austria): I have just been informed that in the French version of the draft resolution operative paragraph 8 is not properly translated. In the English version it says "*Encourages* the Government", and so forth. This is not the case in the French version.

We very much hope that this can be corrected. This is of importance. I hope that this change can be reflected in the text that is to be adopted without a vote.

**The Acting President:** The observations of the representative of Austria will be recorded and reflected.

The Third Committee adopted draft resolution V without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution V was adopted* (resolution 53/160).

**The Acting President:** We turn now to draft resolution VI, entitled "Situation of human rights in Nigeria".

The Third Committee adopted draft resolution VI without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution VI was adopted* (resolution 53/161).

**The Acting President:** We now turn to draft resolution VII, entitled "Situation of human rights in Myanmar".

The Third Committee adopted draft resolution VII without a vote. May I take it that the Assembly wishes to do likewise?

*Draft resolution VII was adopted* . (resolution 53/162).

**The Acting President:** Draft resolution VIII is entitled "Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)".

I have been informed by the Secretariat that no separate vote has been requested on this draft resolution.

The Assembly will now take a decision on draft resolution VIII.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela

*Against:*

None

*Abstaining:*

Belarus, Cameroon, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, India, Kenya, Lao People's Democratic Republic, Mali, Namibia, Russian Federation, United Republic of Tanzania, Zimbabwe

*Draft resolution VIII was adopted by 141 votes to none, with 21 abstentions* (resolution 53/163).

[Subsequently, the delegation of Angola informed the Secretariat that it had intended to abstain.]

**The Acting President:** Draft resolution IX is entitled "Situation of human rights in Kosovo".

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:*

Afghanistan, Albania, Algeria, Andorra, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Canada, Cape Verde, Chad, Chile, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Gambia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Vanuatu

*Against:*

Belarus, India, Russian Federation

*Abstaining:*

Angola, Antigua and Barbuda, Belize, Bhutan, Botswana, Cameroon, Central African Republic, China, Colombia, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, Jamaica, Lao People's Democratic Republic, Mozambique, Myanmar, Namibia, Nepal, Peru, Philippines, Singapore, Sri Lanka, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Ukraine, United Republic of Tanzania, Venezuela, Zimbabwe

*Draft resolution IX was adopted by 122 votes to 3, with 34 abstentions* (resolution 53/164).

**The Acting President:** Draft resolution X is entitled "Situation of human rights in Afghanistan".

The Third Committee adopted draft resolution X without a vote. May I take it that the Assembly wishes to do the same?

*Draft resolution X was adopted* (resolution 53/165).

**The Acting President:** I shall now call on those representatives who wish to speak in explanation of vote or position on the resolutions just adopted.

**Mr. Yacoubou** (Benin) (*interpretation from French*): Following the adoption, with a vote, of resolution 53/158, on the situation of human rights in the Islamic Republic of Iran, the delegation of Benin wishes to stress the following points.

The Republic of Benin remains committed to the question of democracy and human rights, and we have made it one of the bases of our foreign policy. In fact, since the conference of the nation's active forces in February of 1990, Benin has constantly taken steps to promote a democratic culture and respect for human rights. In this endeavour, we enjoy considerable support from the international community in general and from our development partners in particular. It is in this context that we will be hosting the Fourth International Conference of New or Restored Democracies in the year 2000 in Cotonou.

According to the resolution on the human rights situation in the Islamic Republic of Iran, there is a real political will to establish a more tolerant and more peaceful society in that country. The Iranian Government has undertaken to promote respect for the rule of law, to eliminate arbitrary arrests and detentions and to strengthen the legal and prison systems. All these points are welcomed in the resolution.

Benin's modest experience in this field has shown that the promotion of human rights and democracy is a long-term endeavour that needs to be carried out on the ground and over time. This is why Benin believes that Iran should be supported and encouraged to continue the efforts being made to establish a state of law. It is for this reason that we voted against the resolution.

**Mr. Xie Bohua** (China) (*interpretation from Chinese*): I wish to explain our vote on resolution 53/164, entitled "Situation of human rights in Kosovo".

On the basis of the principle of sovereignty and territorial integrity and non-interference in the internal affairs of other States, an important principle of the United Nations Charter, the Chinese delegation is not in favour of considering questions of a certain region in a territory of a country under the agenda item on the human rights situation of individual countries. We believe that Kosovo is a part of the Federal Republic of Yugoslavia, and respect for the Federal Republic of Yugoslavia's sovereignty and territorial integrity and non-interference in its internal affairs under any pretext are in conformity with the principles of the United Nations Charter. For this reason, the Chinese delegation could not support the resolution entitled "Situation of human rights in Kosovo", which was just adopted. Therefore, we abstained in the voting.

**Mr. Mukhopadhaya** (India): My delegation wishes to explain its vote on resolution 53/164, on the situation of human rights in Kosovo.

India voted against the resolution on the situation of human rights in Kosovo, but not because India is indifferent to the plight of the Albanian minority in the Federal Republic of Yugoslavia. On the contrary, as a democracy and country of many languages and faiths, committed to pluralism, India is firmly committed to human rights and to the promotion and protection of the rights of all minorities within the framework of the unity and territorial integrity of Member States.

Rather, we voted against the resolution because it reflects the inconsistent manner in which human rights violations in the former Yugoslavia have been treated in the Third Committee.

On the one hand, we have one resolution — resolution 53/163 — on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) — that is, on three independent, sovereign countries, in one resolution. On the other hand, we have another resolution, piloted in the Third Committee by the same delegation, on a part of one of those three countries as though that part of the country were not an integral part of the country concerned.

India is also committed to the preservation and protection of the territorial integrity, national sovereignty and independence of Member States of the United Nations. Indeed, Security Council resolutions 1160 (1998) and 1199 (1998) also reaffirm the commitment of all United Nations Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. Given the existence of another resolution on the same country, the resolution on the situation of human rights in Kosovo seems to convey the presumably unintended signal that we are referring to the situation of human rights in a separate territory. It could therefore be seen as inconsistent with Article 2, paragraph 7, of the United Nations Charter.

The right place to have addressed the situation of human rights in Kosovo would appear to have been in the context of either the omnibus resolution or a separate resolution on the situation of human rights in the Federal Republic of Yugoslavia.

For the reasons outlined, we were obliged to vote against the resolution.

**Mr. Mangoaela** (Lesotho): My delegation voted in favour of resolution 53/158, on the situation of human rights in the Islamic Republic of Iran. We did so because we believe that the resolution highlights the positive developments and general progress on the situation of human rights in the Islamic Republic of Iran.

Among other things, the resolution welcomes the open debate in the Islamic Republic of Iran on issues of governance and human rights. It also welcomes the commitment made by the Government of the Islamic Republic of Iran to promote respect for the rule of law. Furthermore, it welcomes a more positive approach by the Government of the Islamic Republic of Iran as regards freedom of assembly.

My delegation appreciates this positive development and encourages further efforts by the Government of the Islamic Republic of Iran to improve the situation of human rights in that country.

**Mr. Ravou-Akii** (Vanuatu) (*interpretation from French*): I have taken the floor to explain my delegation's vote on resolution 53/158 on the situation of human rights in the Islamic Republic of Iran.

Last year, in the course of the work of the fifty-second session, my delegation voted in favour of the resolution on this topic. This year, we abstained in the voting. The principal reason for our abstention is the fact that the President of the Islamic Republic of Iran launched an appeal here in the General Assembly early in the work of its fifty-third session. We believe that his appeal represents a significant opening that the international community must support.

**The Acting President:** We have heard the last speaker in explanation of vote.

I call on the representative of Afghanistan, who wishes to speak in exercise of the right of reply.

I remind him that statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second intervention and should be made by delegations from their seats.

**Mr. Farhadi** (Afghanistan) (*interpretation from French*): I am speaking in reply to the statement made by the Ambassador of Pakistan on the resolution on the situation of human rights in Afghanistan.

I was truly saddened to hear such an eminent personality as Professor Paik, a dean of the College of Law of Seoul National University in Korea, referred to almost as though he were a dishonest man by the representative of Pakistan, who threw Professor Paik's report into question. People like Mr. Paik are faithful servants of human society and human rights. He visited Afghanistan several times, including in May 1998, and his statements are thus very well founded. For three years, we have repeatedly endorsed his statements on Afghanistan.

The representative of Pakistan tells us that Mr. Paik has not been to Afghanistan in recent months. Obviously, he was unable to enter the country because he was denied permission to do so and clearly could not run the risk of suffering the fate of Lieutenant-Colonel Calo, who was murdered on 21 August by two Pakistanis in Afghanistan.

The Ambassador of Pakistan yet again trotted out the three-year-old litany about a vacant seat for Afghanistan. Of course, he cited the instance of the Organization of the Islamic Conference. The Assembly should be aware, however, that ever since the Conference adopted a resolution on the Afghanistan seat, the Taliban side has systematically denied every demand of the Conference.

The representative of Pakistan obviously intends that there should be no Afghani voice in this Assembly, because we denounce Pakistani intervention, particularly military intervention, in Afghanistan's affairs and the presence of 35,000 armed Pakistanis in Afghanistan. That paints the picture clearly. What is also crystal clear is that no country here, no State represented in this great Hall, supports the points made by the representative of Pakistan.

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (c) of agenda item 110?

*It was so decided.*

### (d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

### Report of the Third Committee (A/53/625/Add.4)

**The Acting President:** The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report (A/53/625/Add.4).

The Third Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted* (resolution 53/166).

**The Acting President:** May I take it that it is the wish of the Assembly to conclude its consideration of sub-item (d) of agenda item 110?

*It was so decided.*

### (e) Report of the United Nations High Commissioner for Human Rights

### Report of the Third Committee (A/53/625/Add.5)

**The Acting President:** The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 10 of its report (A/53/625/Add.5).

The Third Committee adopted the draft resolution, entitled "Question of resources for the Office of the United Nations High Commissioner for Human Rights and the human rights activities of the United Nations", without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted* (resolution 53/167).

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (e) of agenda item 110?

*It was so decided.*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 110 as a whole?

*It was so decided.*

### Agenda item 12 (*continued*)

### Report of the Economic and Social Council

### Report of the Third Committee (A/53/614)

**The Acting President:** The Assembly will now take a decision on the two draft decisions recommended by the Third Committee in paragraph 8 of its report (A/53/614).

We turn first to draft decision I, entitled "Organization of work of the Third Committee and biennial programme of work of the Committee for 1999-2000".

May I take it that the Assembly wishes to adopt draft decision I, as recommended by the Third Committee?

*Draft decision I was adopted.*

**The Acting President:** We turn next to draft decision II, entitled "Report of the Economic and Social Council".

May I take it that the Assembly wishes to adopt draft decision II, as recommended by the Third Committee?

*Draft decision II was adopted.*

**The Acting President:** May I take it that it is the wish of the General Assembly to conclude its consideration of the chapters of the report of the Economic and Social Council allocated to the Third Committee?

*It was so decided.*

**The Acting President:** The General Assembly has thus concluded its consideration of all the reports of the Third Committee before it.

*The meeting rose at 6 p.m.*

United Nations

A/53/PV.86

General Assembly
Fifty-third Session

86th plenary meeting
Thursday, 10 December 1998, 10 a.m.
New York

*Official Records*

*President*: Mr. Opertti . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . (Uruguay)

*The meeting was called to order at 10.10 a.m.*

**Agenda item 46**

**Fiftieth anniversary of the Universal Declaration of Human Rights**

**(a) Fiftieth anniversary of the Universal Declaration of Human Rights**

**Draft resolution A/53/L.67**

**The President** (*interpretation from Spanish*): It is the intention of the presidency to have a decision taken on the draft resolution once the Secretary-General, the United Nations High Commissioner for Human Rights and the President himself have made their statements.

I shall now make a statement in my capacity as President of the General Assembly.

On 10 December 1948, this very body, the General Assembly of the United Nations, over which it is my honour to preside today, adopted the Universal Declaration of Human Rights, whose fiftieth anniversary we are commemorating today.

In these 50 years, humanity has made more progress down the path of freedom than it had in the preceding 200 years. That extraordinary progress was possible thanks to the creative force generated by the Universal Declaration, undoubtedly one of the most noteworthy events of our century and one of the most influential in the political and legal spheres.

The Declaration changed the world's conception of the nature of human rights, which ceased to be a matter of exclusive concern to the individual who possessed those rights or to the society or State to which the individual belonged, and became a value that transcended borders, cultures, societies and ideologies. Human rights of every individual are now also a matter of concern to all humanity.

The old problem of a foundation for human rights and the diligent search for a basis on which to define them — a problem which so occupied and worried philosophers, jurists and politicians in the past — has in a sense lost significance. Above and beyond the theories that justify the sacred and inviolable nature of human rights, we can today affirm that human rights should be recognized and protected simply because that is what all humankind feels and wants and because that has been the expressed will of the entire international community, as reflected in the Universal Declaration.

It is precisely the universal support undergirding the Declaration that makes it unique and gives it its enormous political and moral weight. It is truly the first instrument in the history of civilization that, in containing principles regulating human conduct, succeeded in its mission of truly establishing universal norms. That universality has remained intact despite the growing diversity and profound changes that have occurred in the world since 1948.

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

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Ensuring the effective enjoyment of the rights proclaimed in the Declaration is undoubtedly one of the priority tasks that the international community and of each its members are obligated to fulfil. Part of that task has been accomplished during the past 50 years. More than any other instrument of modern times, the Declaration generated a powerful and irreversible movement that transformed its noble ideals into positive law and a moral mandate.

Human rights are in fact not merely abstract formulations or ideological flags or, as the Declaration itself states in its preamble, "a common standard of achievement for all peoples and all nations" to strive towards. That common standard has been the subject of a process in which the Declaration's general and abstract formulations have been complemented with legal texts that defined, specified and amplified the rights it proclaimed, thereby transforming them into just that, namely, rights, pure and simple rights that are true and positive and can be enforced. This was possible thanks to the intensive legislative activity unleashed by the Universal Declaration at both the national and international levels.

The result of that activity is a complex legal and institutional system comprised of a great variety of bodies, conventions and international instruments of diverse legal values that has been extended and diversified, thereby giving substance and effectiveness to the rights enshrined in the Declaration. In this connection, I would like to recall the International Convention on the Elimination of All Forms of Racial Discrimination, the various human rights conventions, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child as being among the most important milestones of this process.

Fortunately, this process has not lost its dynamism, and Governments and international institutions continue and will have to continue to work on new rights. Eloquent proof of this dynamism is the endorsement of the Universal Declaration on the Human Genome and Human Rights and the adoption of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, the latter being adopted recently during this very session of the General Assembly.

In addition, numerous new procedural and institutional mechanisms have been created, including international tribunals and courts. The system has thus entered a new stage of development through the establishment of international criminal jurisdictions. In this respect, the International Criminal Court, whose Statute was adopted in Rome just a few months ago, deserves special mention.

Of course, the task has not come to an end; it has not yet been fully completed. As in almost all areas of social life and the law itself, the protection of human rights is something that by its very nature must be ongoing, not only because it is necessary to develop and refine legal instruments that ensure the observance of rights already enshrined, recognized and accepted, but also because it is necessary to update them by incorporating those new rights that become clear to the conscience of modern society as values that deserve international protection. In recent years the international community has witnessed the birth of a second and then a third generation of human rights — not only individual rights but also those of communities and groups, such as the right to development and the right to a healthy environment.

The Universal Declaration and complementary conventions and treaties have in a way created a new international social order in which the relationship between the individual and the State has changed radically. In this new order — in which the rights of individuals and groups supersede those of institutions — the State, as an expression of political society, must play a fundamental role in safeguarding and guaranteeing the enjoyment of those rights.

Paradoxically, while the State has on the one hand been responsible, generally speaking, for the gravest human rights violations, on the other it remains most appropriate institution — and sometimes the only available one — for ensuring respect of human rights in accordance with legal norms, working jointly with international institutions and, of course, non-governmental organizations, each acting in their own respective areas.

Striking a balance between individual freedoms and the field of action of the State, which is responsible for protecting those freedoms, is perhaps the most delicate task of all. For that reason it is vital to harmonize, under the rule of law, the observance and respect of human rights with the principles underlying social peace and concord, without which human rights cannot be duly safeguarded and given institutional protection. This endeavour can put the State in a delicate situation, as has happened on occasion, where it must safeguard a fundamental human right that temporarily is competing with another fundamental human right, and where the full realization of one may mean disregard of another for a given period.

Thus we must not lose sight of the fact that the effective realization of human rights takes place not in the abstract but rather within a historical, political, social and cultural context from which it cannot be isolated.

Human rights, justice and peace are the three values that must guide the evolution of international society as we enter the twenty-first century, and the realization of each of these values is a precondition for the realization of the others. Let me recall that the concepts of peace and human rights are invoked in the first two preambular paragraphs of the Charter of the United Nations and that the Universal Declaration of Human Rights reaffirms that link.

I believe that in the quest to ensure the fullest observance of human rights, one aspect is of fundamental importance: the question of the prevention of violations. Genuine and broad respect for human rights can be achieved only if we address the root causes of violations, which, as we are reminded by the United Nations Educational, Scientific and Cultural Organization, originate in the hearts and minds of human beings. This is a fact that we all acknowledge. Those who disregard and violate the rights of others do so because of hatred, selfishness, intolerance or prejudice. All human beings must be prepared, from the earliest stages of their development — when the values and ideals that will guide them for the rest of their life are taking shape — to embrace tolerance, solidarity and respect for others.

The subject of human rights should therefore be taught by educational institutions everywhere, as it is in certain places, beginning in elementary school. That was what the authors of the Universal Declaration meant when they said that teaching and education were instruments for the strengthening of respect for rights and freedoms.

The Universal Declaration, together with the international instruments that complement and enrich it, is a clear indication of humankind's progress towards coexistence at a higher level. This is cause for rejoicing — not only because of what that progress means for the well-being and happiness of thousands, if not millions, of people — but also because it shows, more than in any other area of international cooperation, that the human instinct of solidarity must transcend the materialism and selfishness that often characterize modern society.

At this commemorative meeting, however, we must recall that while a great deal has been done in the past 50 years towards building the political and legal foundations of the system of human rights protection, a great deal still remains to be done in the area of the effective observance of human rights. We must bear in mind that at this very moment, in many parts of the world, there are people who have been unjustly deprived of their freedom; people who have been tortured; abused women; children who have been exploited, victimized by those who traffic in children, or sent to war; elderly people who have been abandoned; and minorities who have been excluded. As long as these affronts to humankind persist, we cannot be fully satisfied at the progress achieved.

The States of the world are gathered here today to commemorate the generosity and inspiration of the Governments and of the men and women who, 50 years ago in Paris, made possible the adoption of the Universal Declaration. Let us then direct our thoughts for a moment to all those who are awaiting our help to recover the freedoms and rights that they have lost and to regain their dignity. We must protect them; we must not forget them, and we must renew our commitment to continue to fight until the day human rights become the common heritage of each and every inhabitant of our world.

**Statement by the Secretary-General**

**The President** (*interpretation from Spanish*): I invite the Secretary-General of the United Nations, His Excellency Mr. Kofi Annan, to address the General Assembly.

**The Secretary-General:** We meet to commemorate the half-century of a testament to human hope at the end of a century of human loss. We meet to pay tribute to the spirit of idealism and the faith in humanity that made our forebears believe in the best in man when all around was evidence of the worst in man. We meet to mark the fiftieth anniversary of the Universal Declaration of Human Rights.

Today, we honour the highest of human aspirations and renew our promise to conquer the worst of human cruelty. We pay tribute to the minds of those who conceived of these human rights and to the memory of those who died for them. And knowing the power of human wrong, we reaffirm our faith in human right —

that faith that ultimately will sustain humanity through its darkest hours and help us defend our human rights where they are most imperiled. Human Rights Day 1998 is a day for all of us who enjoy human rights to imagine life without them, and to think how hard we would fight to retain them. It is a day for those who are still denied their human rights to dream again of asserting them, and to know that their dream is our dream — the dream of all human rights for all.

It is a day for us to recall not only the rights attained over 50 years, but also the rights denied; to pursue the achievement of justice by all and for all; to defend against the abuse of human rights with greater vigilance than ever; and to pursue the violators of human rights with greater persistence than ever. It is the day to renew our commitment to globalizing justice in the age of globalization.

I began this anniversary year by reaffirming the universality of human rights and by arguing that human rights are foreign to no culture and native to all nations. Throughout this year, from the streets of Asia to the towns of Africa to the courts of Europe, justice has been done and freedom has been won. Human rights have been proven — beyond any doubt — to be truly universal.

Rights have been asserted where regimes once ruled; justice has been delivered where impunity once reigned; memory has been honoured where crimes had gone unpunished; and, yesterday, this Assembly reaffirmed that all forms of racism, including anti-Semitism, must be defeated in the struggle for human rights. Truly, this year has been worthy of the anniversary we mark today and has proven to all that human rights cannot be denied where human beings live and breathe.

To the United Nations, this anniversary is more than a milestone. It is a mirror that reflects how far we have come and how far we have yet to go. It is a mirror that at once flatters us and shames us, that bears witness to a record of progress for parts of humanity while revealing a history and a reality of horrors for others. Above all, it teaches the United Nations that without human rights, no peace and no prosperity will last forever. Our mission is simple: to make every day matter in the fight to broaden the horizons of human rights until that day when no man is tortured, no woman is abused and no child is denied his dignity — when all human beings enjoy their human rights.

**The President** (*interpretation from Spanish*): I thank the Secretary-General for his statement.

## Statement by the United Nations High Commissioner for Human Rights

**The President** (*interpretation from Spanish*): I now give the floor to the United Nations High Commissioner for Human Rights, Mrs. Mary Robinson.

**Mrs. Robinson** (United Nations High Commissioner for Human Rights): Tribute is being paid today to the vision of those who drafted the Universal Declaration of Human Rights. The Declaration was the fruit of much thought about the rights to which everyone on the planet is entitled, simply by virtue of being human, and about our duties towards each other. It is a remarkable document, full of idealism, imbued with a sense of hope and a determination to learn lessons from and not to repeat the mistakes of the past.

The framers of the Declaration would not want us to spend too much time dwelling on the past or commending them for what they achieved. They saw the Declaration as a basis for the long struggle to embed a human rights culture in society. They knew it was only a start, an important first step in seeking a better and fairer world for all, irrespective of class, gender, creed or wealth. They would expect nothing less from us than that we rigorously examine our performance since the General Assembly adopted the Declaration in 1948. They deserve nothing less than that we renew our unswerving commitment on this fiftieth anniversary to securing human rights for all — all human rights for all.

Perhaps the most significant achievement in the human rights field over the past 50 years has been that legitimacy has been secured for the principle that rights are universal and indivisible. Many States that initially showed little enthusiasm now accept this principle, and increasing numbers have signed and ratified the two covenants and at least some of the conventions.

Our task now must be implementation: to close the gap between rhetoric and reality. Daily, in every part of the world, we see examples of the failure to put into practice the rights so clearly set out in the Universal Declaration. Despite all the legislation, procedures and mechanisms that are in place, millions are still routinely deprived of their basic rights. Millions of refugees and internally displaced persons cannot return to their homes. Many of them belong already to generations born in refugee camps. Religious and ethnic minorities are persecuted; opposition to oppressive regimes is met with brutal force; those who speak in defence of human rights are silenced, imprisoned, killed; women and children are the most vulnerable to abuse; the elderly and disadvantaged are cast aside, even by resource-rich societies.

The international community's record in responding to, let alone preventing, gross human rights abuses does not give grounds for encouragement. Genocide is the most flagrant abuse of human rights imaginable.

Genocide was vivid in the minds of those who framed the Universal Declaration, working as they did in the aftermath of the Second World War. The slogan then was "Never again", and yesterday we marked the fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide. Yet, genocide and mass killing have happened again — and have happened before the eyes of all of us — in Rwanda, in Cambodia, in former Yugoslavia and other parts of the globe.

Not only are civil and political rights being violated, but we have made poor progress on economic and social rights. We speak of the right to development, but what is the actual situation? Twenty per cent of the world's population own in excess of 80 per cent of the wealth and consume 80 per cent of the world's resources. It is shameful that people in industrialized countries should enjoy such high levels of prosperity while over a billion people are denied the most basic needs — adequate food and shelter, clean water, education and health care.

It is not sufficient that we give assistance when disasters strike poorer countries. Generous though such gestures may be, they do not get to the root of the problem. What is needed above all is recognition of the systemic disadvantages with which so many people are burdened, how far they are removed from the ideal proclaimed in article 1 of the Declaration that they should be "free and equal in dignity and rights".

We must also meet new challenges. Scientific and technological developments in fields such as genetics, human cloning and biotechnology are posing fundamental questions about our understanding of human rights. Other questions are posed by the potentially positive or negative role played by transnational corporations in our increasingly globalized economy.

The United Nations must rise to these challenges. I welcome the Secretary-General's strong commitment to integrate human rights into the programmes and agencies of the United Nations. Human rights form a crucial dimension to so many issues — humanitarian aid, conflict resolution, development — and recognition of this can only improve the effectiveness of the United Nations family as a whole. I believe important progress has been made during the past year, which we should now build on together.

I ask you to join our efforts to translate the words of the Universal Declaration into action. We could pay no greater tribute to those who framed the Universal Declaration of Human Rights than by giving practical meaning to their ideas and vision. Could we not, for example, set ourselves the objective that all States sign and ratify the two Covenants and the four principle Conventions within the next five years; that all States make the Universal Declaration known to every one of their citizens, starting by introducing it into all primary education curricula; that all States implement the declaration on human rights defenders, not just formally but in a true spirit of support for human rights defenders everywhere; and, most importantly, that all States redouble their efforts to implement the 30 articles of the Universal Declaration in full.

As High Commissioner, I pledge to do, with my colleagues, everything in my power to forge a partnership with all of those committed to human rights. I will continue to speak out for those who have no voice or whose voices are disregarded. I will also continue to work positively with States and, at the same time, to strengthen monitoring mechanisms so as to ensure that they are matching promises with action. I will draw up strategies to meet the new challenges on the horizon.

I do not underestimate the task ahead. But I need your assistance and support in my work. Let us not mark this anniversary with fine-sounding words, but with deeds. That will be the surest way of keeping faith with those who, 50 years ago, framed the Universal Declaration of Human Rights.

**The President** (*interpretation from Spanish*): I thank the United Nations High Commissioner for Human Rights for her statement.

We shall now proceed to consider draft resolution A/53/L.67.

May I take it that it is the wish of the General Assembly to adopt this draft resolution by consensus?

*The draft resolution was adopted* (resolution 53/168).

**The President** (*interpretation from Spanish*): The Assembly will now begin the ceremony for the award of Human Rights Prizes in 1998. In accordance with General Assembly resolution 2217 (XXI) A of 19 December 1966, six prizes are to be awarded this year to individuals and organizations that have made outstanding contributions to the promotion and protection of human rights and fundamental freedoms.

I first call to the podium Ms. Sunila Abeyesekera of Sri Lanka.

*Ms. Abeyesekera was escorted to the podium.*

**The President** (*interpretation from Spanish*): Ms. Sunila Abeyesekera of Sri Lanka is the Executive Director of INFORM, one of the main human rights organizations in her country. A human rights activist for 30 years, her work focuses mainly on women's rights, armed conflict and conflict resolution. She has played a key role in lobbying and advocacy work within the United Nations human rights system and has established several organizations working on human rights and democratic issues in Sri Lanka.

May I request the Secretary-General to present the award to Ms. Sunila Abeyesekera.

*The Secretary-General presented the award to Ms. Abeyesekera.*

**The President** (*interpretation from Spanish*): I next call to the podium Ms. Angeline Acheng Atyam of Uganda.

*Ms. Atyam was escorted to the podium.*

**The President** (*interpretation from Spanish*): Ms. Angeline Acheng Atyam of Uganda was born in 1947. A nurse-midwife and mother of six, she is a founding member and Vice Chair of the Concerned Parents Association, a group of Ugandan parents who came together to demand action when their daughters, 139 girls from the Saint Mary's School, were abducted by the Lord's Resistance Army in October 1996. Ms. Atyam has been a powerful spokesperson, giving voice to the concerns of thousands of families whose children have been stolen. She has worked tirelessly to secure the release of children in rebel captivity. She has also worked to bring national and international attention to the plight of the captive children, travelling to Europe and the United States.

May I request the Secretary-General to present the award to Ms. Angeline Acheng Atyam.

*The Secretary-General presented the award to Ms. Atyam.*

**The President** (*interpretation from Spanish*): The next award recipient is Mr. Jimmy Carter of the United States of America.

Mr. Jimmy Carter, known to all as a former President of the United States of America, was born in 1924. He has committed himself to the international defence of human rights. Mr. Carter has been involved with a variety of human rights issues, from defending religious minorities in Eastern Europe to working for the eradication of river blindness. He made an outstanding contribution to bringing a peaceful solution to the civil war in Liberia. The Carter Center played a significant role in brokering peace talks between the warring parties in that country.

Mr. Carter is unable to be present at today's meeting. In a letter addressed to the Secretary-General and the United Nations High Commissioner for Human Rights, he stated that, although he and Mrs. Carter are saddened that they cannot be here today, they are deeply touched and inspired by the recognition provided by the Human Rights Prize on this most auspicious occasion of the fiftieth anniversary of the Universal Declaration of Human Rights. Mr. Carter extended to the Secretary-General, the High Commissioner and all those responsible for the awarding of the United Nations Human Rights Prize his profound gratitude for the honour bestowed upon him through the presentation of this prestigious award.

I next call to the podium Mr. José Gregori of Brazil.

*Mr. Gregori was escorted to the podium.*

**The President** (*interpretation from Spanish*): Mr. José Gregori of Brazil was born in 1930. His involvement in human rights dates back to the 1950s, when he was a student at São Paulo University when the military regime took power in Brazil. During that period, he cooperated closely with groups in trying to re-establish democracy. He is the head of the recently created National Secretariat for Human Rights. He has been active in strengthening national and regional cooperation for the defence and promotion of human rights.

I now invite the Secretary-General to present the award to Mr. José Gregori.

*The Secretary-General presented the award to Mr. Gregori.*

**The President** (*interpretation from Spanish*): I next call to the podium Ms. Anna Sabatova of the Czech Republic.

*Ms. Sabatova was escorted to the podium.*

**The President** (*interpretation from Spanish*): Ms. Anna Sabatova of the Czech Republic was born in 1951. She has been involved in human rights activities for the past 30 years. She was sentenced to three years in prison for distributing leaflets that reminded Czechoslovakian citizens that to vote in parliamentary elections is not a duty, but a right. She is one of the founding members of Charter 77, a centre of civic resistance.

May I request the Secretary-General to present the award to Ms. Anna Sabatova.

*The Secretary-General presented the award to Ms. Sabatova.*

**The President** (*interpretation from Spanish*): The sixth Human Rights Prize is awarded to the Human Rights Defenders of the World. In bestowing this honour to Human Rights Defenders, the General Assembly solemnly recognizes the contribution of all those women, men and young people around the globe who have struggled, often risking their own lives and giving voice to the voiceless, for the recognition, protection and promotion of human rights. This Human Rights Prize and the adoption yesterday by this Assembly of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms will be a historic testimony of the partnership between the United Nations and human rights defenders for past and future generations.

The commemorative plaque of the Human Rights Prize for the Human Rights Defenders will be displayed at an appropriate place at United Nations Headquarters.

On behalf of the General Assembly, I warmly and sincerely congratulate the recipients of these awards.

*The meeting was suspended at 11 a.m. and resumed at 11.10 a.m.*

**The President** (*interpretation from Spanish*): I now call on the representative of Algeria.

**Mr. Baali** (Algeria) (*interpretation from French*): Fifty years ago today, at the end of a long nightmare during which the most heinous atrocities were committed in plain sight, mankind kept a date with history by adopting a body of norms and values designed to restore human dignity and endow the human being with the status of citizen of the world, enjoying everywhere and under all circumstances the same rights and liberties.

Still, for a long time, humankind, such as it was, accepted without question a state of affairs in which nearly half of the people on this planet remained under the yoke of colonialism, at the margins of history and law. Indeed, we had to await the irresistible movement of the liberation of peoples and their long-thwarted emergence onto the world stage in order finally to recognize that colonialism, long tolerated and even celebrated, was in fact the very negation of human rights, and in order for the basic principle of every philosophy of human rights — that all human beings are born free, and equal in dignity and in rights — to prevail at last.

Since then, from conference to conference, from commemorative ceremony to commemorative ceremony — owing particularly to the outstanding normative work done by this Assembly, which has gradually expanded the field of liberties, and owing as well to the enormous awareness gained by men and nations of their rights — the culture of human rights has taken form and become anchored in the human spirit, while waiting to leave a lasting imprint on our acts and to shape our behaviour, thus becoming a kind of common language of humankind, a universal heritage that we must enrich and promote together, through dialogue and collective effort, far removed from any political stakes or uses.

Indeed, thanks to globalization, which for better or for worse is already making its mark on all human activities, and to the acceleration of the history that accompanies it, the culture of human rights — which, by definition, are constantly in movement — today is expanding its reign to the farthest corners of the world, pushing out particularities, reducing differences and erasing borders.

But at the very time when the dream of the universality of human rights seems to have been fulfilled, it has been shown — since all humankind is now a direct witness to the free exercise or violation of human rights — how illusory, imperfect and unjust is this universality, when no umbrage is taken at the enormous physical and spiritual distress in which hundreds of millions of our fellow humans are kept, condemned to ignorance, misery and sometimes death.

What can the exercise of civil and political rights mean to all those who have been excluded: the more than a billion people who survive on less than a dollar a day, and the even greater number living on only a pittance more, the nearly one out of six individuals who cannot read or write and the one quarter of the children of the South — half of whom are girls — who will never go to school?

In the area of human rights, which are by nature interdependent and indivisible, the only worthwhile measure is to take responsibility, in a consistent, integrated and global manner, for the economic, social and cultural needs of the individual, and at the same time for his civil and political rights, in the aim of permitting him to enjoy the full exercise of his rights and to shoulder, in security and dignity, his role in society.

In my country, despite the formidable challenges facing us, democracy has made major advances. Today the dynamic of liberty there is irreversible. The people, as well as the public authorities, are resolved to pursue and intensify the process of democratization now under way, in order to establish lasting democratic principles, rule of law and human rights in Algerian society, and in order to hitch our society, with its wealth of age-old values and culture, to the locomotive of progress and modernity.

Today, 10 December, throughout Algeria, in schools, in the mass media and wherever democracy is learned and exercised, the Universal Declaration of Human Rights is being honoured.

On this anniversary, I would like, on behalf of Algeria, solemnly to reaffirm here our full and complete adherence to this founding text of human dignity and our determination to make it a living reality, convinced as we are that the culture of human rights, in order to flourish and take root, cannot be satisfied simply with the fleeting fervour of solemn commemorations; it is a matter of daily practice that must make its mark in space and in time. This is why the new law on education, which will soon be taken up by the Algerian Parliament, provides that henceforth children will have an obligatory course on democracy and human rights, which will prepare them to be the fulfilled Algerians of tomorrow, dedicated to their rights and aware of their duties, citizens of a world in which universality will be translated into solidarity with all those who have been excluded, where dignity will mean shared prosperity and where interdependence will be joined with hope.

**The President** (*interpretation from Spanish*): I would like to remind delegates that we have a machine here with three lights — green, yellow and red. When the green light is on, everything is fine; when the yellow light is on, it is time for the statement to begin coming to a close; and when the red light is on, the statement is over. That is the golden rule to which our discussion will be subject.

I now call on the representative of Canada.

**Mr. Fowler** (Canada) (*interpretation from French*): In 1945, the drafters of the United Nations Charter embraced a commitment — binding to this day on each and every Member of the Organization — to achieve universal respect for human rights and fundamental freedoms for all.

This undertaking left its mark on the evolution of international affairs: from then on, the well-being of human beings anywhere became the legitimate concern of Governments everywhere.

Today, we commemorate the adoption of an equally historic document, one in which many extraordinary individuals, including Canada's own John Peters Humphrey, had a hand. The Universal Declaration of Human Rights gave definition to the visionary ideas of the Charter. It has become embedded in the fabric of customary international law and has served as a foundation and a source of inspiration for 50 years of achievements in the promotion of human rights.

Those achievements have been considerable indeed: freedom and democracy are today enjoyed by more people than at any time in history. At both the national and international levels, institutions to promote and protect human rights — economic and social, as well as civil and political — have spread, and often have flourished.

(*spoke in English*)

The growing consensus on rejecting impunity for violators of human rights and humanitarian standards is especially encouraging. The adoption of the Statute of the International Criminal Court earlier this year in Rome was another milestone in this regard. Next week, Canada will sign the Statute, and we will work tirelessly to encourage others to sign and ratify it as well.

However, as we have been reminded in countless ceremonies over the past year, we must not be complacent. At the dawn of the twenty-first century, millions lack the most basic needs for a decent, dignified life. Grave human rights violations of every conceivable kind are all too prevalent. Our celebration today must therefore be tempered by that sombre reality.

Quite clearly, our principal task today must be to commit ourselves yet again to translating the noble principles of the Universal Declaration into effective protection for all of the world's citizens.

The obstacles that lie in our path are numerous, and overcoming them will require determined efforts on many fronts, whether in strengthening and financing our institutions or in confronting human rights abuses whenever they occur. In meeting such challenges, we must make common cause with all who share those goals. A growing community of private individuals and groups in all parts of the world is demonstrating a capacity and a determination that will not be denied to help advance the cause.

Governments cannot, and must not, abdicate their individual and collective responsibility to protect human rights. As the experiences of creating an International Criminal Court and of banning the widespread use of landmines demonstrate, we also face the moral obligation and political imperative of engaging those on whom our success or failure has an immediate impact.

This Assembly took another important step yesterday, when it adopted the Declaration on human rights defenders and confirmed our partnership with individuals and groups peacefully combating human rights abuses in all parts of the world.

The success or failure of this common enterprise also has direct and far-reaching implications for the broader interests of this Organization. The quest for human freedom and justice is a noble cause in its own right. But it is even more than that, for it embodies all of the basic purposes of the United Nations: peace, justice and prosperity for all.

We believe the United Nations human rights machinery can, and should, serve all of those goals, and we commend the Secretary-General and the United Nations High Commissioner for Human Rights for their vision and leadership to that end.

Despite all the changes the world has seen in the past 50 years, the Universal Declaration of Human Rights remains at least as relevant and as fundamentally important as on the day it was adopted. Its principles provide for all Governments an ultimate standard, a measure of their legitimacy and of their effectiveness in serving the best interests of their citizens.

Inevitably, that is a standard against which all countries, including my own, will sometimes be found wanting. Today we can pay proper tribute to the Universal Declaration and the vision it embodies by reaffirming our individual and collective determination to address such shortcomings whenever they arise. In that indispensable task of the United Nations, Canada pledges its full cooperation to all.

**The President** (*interpretation from Spanish*): I give the floor to the representative of the United States of America.

**Mr. Burleigh** (United States of America): On 10 December 1948, in the wake of one of history's greatest horrors, the United Nations adopted the Universal Declaration of Human Rights. That simple Declaration became one of the foundations of the United Nations, embodying the very spirit of this institution.

Today we commemorate that great event and the visionaries who were most responsible for the document itself: Eleanor Roosevelt of the United States, the great spirit who would rather light a candle than curse the darkness; René Cassin of France, who lent his eloquence and pen to the first full draft of the Declaration; Charles Malik of Lebanon, who gave his knowledge and will to its organization and adoption; P. C. Chang of China, who ensured that the wisdom of Asia would inform the Declaration; and John Humphrey, whose tireless work was instrumental at its inception.

Today we thank them and everyone who has worked for the great principles of the Universal Declaration of Human Rights across the years, and across the globe. We honour the courage and determination of human rights defenders over the centuries and commit ourselves anew to their struggle. The Declaration and the United Nations Charter commit the world's Governments and the United Nations itself to the promotion of universal respect for and observance of the human rights and fundamental freedoms that are the birthright of every person.

Fifty years ago today, when the General Assembly formally adopted the Universal Declaration of Human Rights, the new United Nations was given an inspiration and a mandate for its unprecedented international work. In fact, the Declaration set the standard for much of what has come to define this institution.

Like the undeniable truths incorporated into the founding documents of my country, the Universal Declaration of Human Rights provides for the civil, political, economic, social and cultural rights that are the unquestionable birthright of all people. Those rights include the right to life, liberty, privacy and personal security; the right to an adequate standard of living; the right to education; the right to the presumption of innocence when accused of a crime; the right to a full and fair trial; and the right to freedom of speech and opinion, freedom of religion, freedom of assembly and association and freedom of movement.

Freedom — the right to freedom: that is the foundation of the Declaration that we proudly commemorate and reaffirm today. By adopting the Universal Declaration of Human Rights, the world recognized that each individual is inherently dignified and worthy and that the rights of every person — every person — must be respected.

These essential principles of human rights unequivocally state that every person be given equal treatment under the law, regardless of race, colour, sex, language, religion, political, or other philosophy, national or social origin, ownership of property or other status or class. In addition, the Declaration affirms every person's right fully to participate in the government and society of his or her nation.

The Universal Declaration of Human Rights did not simply enumerate the positive principles of human rights. It also confirmed the prohibition of practices that have stained the course of human history, such as slavery, torture, arbitrary arrest and detention, exile and other cruel and inhuman treatment.

1998 marks both the fiftieth anniversary of the Universal Declaration of Human Rights and the fifth anniversary of the Vienna Declaration and Programme of Action, adopted by the United Nations World Conference on Human Rights in 1993. The Vienna Declaration reaffirmed the fundamental duty of each nation to promote and protect all human rights and freedoms, regardless of the political, economic or cultural systems of those nations. No special circumstances or issues of development can justify the abridgement of internationally recognized human rights by any nation.

The advancement of democracy and human rights is a policy priority of the United States. President Clinton and Secretary of State Albright continually seek to incorporate human rights concerns throughout the foreign policy of the United States. I would like to note just a few recent examples. In 1994, the United States ratified both the Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Ratification of the United Nations Convention on the Elimination of All Forms of Discrimination against Women remains a very important policy priority. President Clinton has made the fight against racism and racial discrimination a major objective, announcing his Initiative on Race in 1997. Last year, the President convened the first White House Conference on Hate Crimes, and with Attorney General Reno began a detailed review of the laws concerning hate crimes.

Secretary of State Albright has also shown great dedication to the cause of human rights, as have all of our senior officials. The United States will continue to play a major role in assisting victims of torture, and is the leading donor to the voluntary fund for the victims of torture.

Today, the world celebrates the Universal Declaration of Human Rights. It remains our aspiration, our inspiration, our mission.

**The President** (*interpretation from Spanish*): I give the floor to The Right Honourable Claire Short, Secretary of State for International Development of the United Kingdom.

**Ms. Short** (United Kingdom): I am very pleased to be here today speaking on behalf of the United Kingdom, but I should make it clear that the Permanent

Representative of Austria will shortly deliver a statement on behalf of the European Union, with which the United Kingdom fully associates itself.

The Universal Declaration of Human Rights, the adoption of which we commemorate today, is quite a remarkable document. It sets down in eloquent and moving language the fundamental rights to which each human being is entitled purely by virtue of their humanity — the rights necessary to secure basic human dignity and well-being for each and every person.

The Declaration is very clear that human rights mean not just civil and political rights, but also cultural, economic and social rights; not just freedom from fear but also freedom from want.

Drawing on their experience of the pre-war years, the framers of the Declaration knew that all of these rights were important and all were interdependent. They understood that economic depression and poverty help create the conditions that foster political extremism and war. And it was by working for both sets of rights — for full bellies and for free minds — that they sought to lay the foundations for a more peaceful and just world order.

But one of the tragedies of the last 50 years was that this vital argument got lost. The essential interdependence and indivisibility of human rights fell victim both to cold-war polarization and to North-South divisions, with one side claiming to care more for political and civil rights and the other for social and economic.

With the cold war now well behind us — and on the eve of a new millennium — we have an opportunity to recapture the spirit of 50 years ago and to renew our collective commitment to all of the principles of the Universal Declaration, for all people. That includes reaffirming that economic and social rights are as important as political and civil rights; that for one in four of the people of the world to be denied enough to eat and access to clean water, education and basic health care is both a moral outrage and a gross denial of their rights.

I am not asking for more emphasis on social and economic rights and less on civil and political, but a balance that seeks all rights for all people.

The British Government has committed itself to work for this goal and to give more emphasis to the human rights of the poor of the world. We give our strong support to the right to development. In Britain's development policy we have pledged specifically to work to secure the attainment of the international poverty eradication targets — the targets that derive from the great United Nations conferences of the past decade. As the Assembly knows, the key target is to reduce by one half the proportion of people living in abject poverty by 2015. This will mean nearly a billion people being lifted out of poverty within 20 years. The targets also mean that every child in the world will have primary education and every human being in the world will have access to basic health care and reproductive health care within 20 years.

These targets have been endorsed by almost all the Governments represented here today, and economic experts agree that they are affordable and achievable. What we have lacked up to now is the political will to translate these fine aspirations into action.

I believe the best way to mark the fiftieth anniversary would be for all of us to commit ourselves to meet the poverty eradication targets and thus fulfil the pledge made by the General Assembly 50 years ago, in the preamble to the Universal Declaration "to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms".

This will require a new partnership between developing and industrialized countries based on agreement to work together to meet the targets in every country. We know that conditionalities imposed on reluctant Governments in need of financial support do not produce results. We need strong leadership from the developing world, determined to achieve the reform necessary to deliver the targets and the economic growth necessary to reduce poverty. Where this is in place, the industrialized countries must deliver on faster debt relief, increased investment of aid and a more equitable set of international rules for trade and investment. This means, of course, in turn, reversing the decline in overseas development assistance. The British Government has taken this step, with a real-terms increase of 28 per cent in development aid over the next three years. I hope that others will follow suit.

This is the challenge of globalization. It is generating more wealth, but we must ensure that we create new international systems to ensure that the fruits of globalization are fairly distributed and that globalization does not lead to a more divided and unstable world.

We meet at a time when there is more democracy in the world than there has ever been before in human history. We must ensure that within that democracy the voices of the poor are heard and that we all make more effort to ensure that their political and social rights are fully respected. We all understand that the social and economic rights outlined in the Declaration cannot be delivered to all people immediately, and that full political and civil rights can be difficult when people are desperately poor. But we can, if we want, make faster progress, and that is the commitment we all made when we agreed to adopt the Universal Declaration. It is perfectly possible for us to remove abject poverty from the human condition before we are halfway through the next century — if we want to do so.

The framers of the Declaration were, I am sure we all agree, right to stress in the preamble to the Declaration that promoting respect for human rights is not just a matter for Governments. Individuals and civil society have an indispensable role to play in holding Governments to account for their policies.

We all know that, hard as we try, there is no such thing as a perfect Government anywhere. That is why we must strengthen civil society everywhere to ensure that all our Governments live up to their obligations under the Declaration. Those who promote and defend human rights — those whose work we are honouring today — will continue to have a vital role in the next half century in maintaining pressure on Governments to secure the realization of all human rights for all.

This is our common responsibility. To commemorate the Universal Declaration of Human Rights not just by fine words, and then putting them away again until the next commemoration, but by a renewed effort to do all in our power, as we promised in the Declaration 50 years ago, "by progressive measures, national and international, to secure their universal and effective recognition and observance".

**The President** (*interpretation from Spanish*): I call on the Minister for International Development and Human Rights of Norway, Ms. Hilde Johnson.

**Ms. Johnson** (Norway): A map of the world was drawn 50 years ago. The world community now had a new map to navigate by. Based on the best values, this map showed new landmarks. Many of the previous roads, bridges and harbours had been destroyed in the Second World War. We needed new directions, new standards and new rules for interaction between States and between people. We had to create a new common ground, a common understanding.

The new map provided bridges to life, freedom, liberty and social security, bridges to inherent and equal rights, bridges to brotherhood, bridges to human dignity. This map was the Universal Declaration of Human Rights. This map is still urgently needed as an instrument to navigate by, because we are in stormy weather. Violent conflicts, often with ethnic overtones, threaten millions with insecurity and destruction. The global economic crisis is forcing workers out of their jobs, families out of their homes and children out of their schools.

The weakest among us suffer the most: mothers in despair, children exploited in factories and brothels, people experiencing the fate of becoming refugees in their own countries, religious communities persecuted for their faith, prisoners tortured and executed, children trained to kill their own relatives. We have only to open our eyes and use our ears.

Too often, human gain leads to human pain. Violence has many faces, but few voices. In such a landscape we need to stick to our map. Recognizing the worth of every human person carries an obligation. Human dignity should be our rock, human development should be the road we travel and human rights should be the vehicle we use. We must address the human pain. This is a time to give a voice to the voiceless, hope to the hopeless and freedom to those who have lost their liberty, because implementing human rights is beneficial for every society and every person. This is a time to consider basic rights and freedoms as building blocks for the future for all of us.

For far too long, the debate on human rights has been dominated by the assumption that human rights is all about civil and political rights, while development is all about economic growth. This is wrong. Certain human rights may seem of little value to people who are starving and in need. Combating poverty is indeed one of the most urgent human rights challenges we are faced with today. Far too many have turned a blind eye to this important fact. Economic, social and cultural rights must be given their rightful place alongside civil and political rights. Human rights constitute an integrated and mutually reinforcing whole. And we must be more willing to act upon this understanding. Poverty does not, however, make it more legitimate to oppress people.

Neither does culture: as a member of the South African Parliament put it, "Culture can never be an excuse for abuse".

Human development is the process of expanding people's choices. That United Nations definition should guide all our efforts. Human rights is an integral part of such a process. It is indeed a precondition for development. Human rights constitutes an integrated whole. Expanding people's choices means respecting people's rights: all of them; every single one of them. That is what development is all about. People must be able to expand their choices. They must be given a chance, a chance for change.

This is clearly not the time to reduce official development aid. The Norwegian Government is committed to increasing its development assistance to 1 per cent of gross domestic product and to giving substantial debt relief. We shall give more weight to our responsibility to assist States in fulfilling their obligation to implement human rights. The main responsibility lies, however, with Governments themselves. As donors, we can donate resources; we cannot donate rights. We can offer the means, but we cannot provide the will.

Promoting human rights starts at home. The map of the country must fit in with the map of world. I represent a country which, like the overwhelming majority in this room, gained full independence in this century. We have been and still are learning how valuable respect for human rights is as a building block for our society. Today we are releasing the first annual report on Norway's efforts to promote human rights at home and internationally. The report shows us what we have accomplished and tells us what we need to do. To this end, the Norwegian Government is also drawing up a national plan of action for human rights. The formulation of national plans of action was one of the commitments we undertook under the Vienna Declaration and Programme of Action. I can announce that Norway has decided to contribute $1 million to the United Nations High Commissioner for Human Rights for the purpose of assisting countries in drawing up their own national plans of action.

Such national instruments should also address the issue of human rights and business ethics. What we do at home must be reflected in what our businesses do abroad. This too is an issue of ordering one's own house. In Norway we have established close cooperation among the business sector, civil society and government on human rights issues.

"All human rights for all" is an appropriate slogan for this fiftieth anniversary. It is already a pledge, but it should also be a plea. I want to call upon all Member States which have not yet done so to sign and ratify the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Conventions on the Rights of the Child, on the Elimination of All Forms of Discrimination against Women, on the Elimination of All Forms of Racial Discrimination, and against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. I call on them to withdraw their reservations that run counter to the letter and the spirit of these instruments, then to embark on the road of implementation and respect for these obligations. I urge them to stick to the map.

"All human rights for all" does not allow for any exceptions: not for women because they are not men; not for children because they are too young; not for the poor because they lack resources; not for the imprisoned because they are not free; not for the disabled because they are weak; not for the old because their future is short. These and all other discriminatory exceptions imply a denial of the basic worth of every human person.

Yesterday we adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. We recognize that investment in human rights presupposes individuals and groups that know their rights, that know the value of those rights and that know how to fight for them. We recognize the need for guides to help us use our map, for we need to stand by our commitments even when the going is tough.

"Humanity owes it to itself to watch over, guard and protect those who represent it and who devote their lives to beneficent activities". Those are the words of René Cassin, the main author of the Universal Declaration, who received the Nobel Peace Prize in Oslo 30 years ago today. In his Nobel lecture Cassin said that "for the establishment of peace and human dignity, each of us must work and fight to the last". That work and that fight must go forth from this meeting to our own countries, to all those who are accountable. It requires us to have faith, never to lose sight of the intrinsic value of every human being, to protect, to care, to save, to give shelter and to give voice — not for our own sake, but for the sake of humanity.

**The President** (*interpretation from Spanish*): I wish to remind members that there are 126 speakers on the list, and that it was the General Assembly itself, not its President, that decided to set a five-minute limit on statements in this commemoration. I note that statements thus far have exceeded that limit by an average of three minutes. If speakers do not observe the limit, there is no telling how long these meetings could last: possibly through today and into tomorrow.

I call on the representative of Japan.

**Mr. Satoh** (Japan): Today, we have gathered here to reaffirm our commitment to the promotion of universal respect for and observance of human rights and fundamental freedoms. The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, which we adopted yesterday, is an expression of our determination to make further progress in the field of human rights. It is also important to recognize on this occasion the efforts of all those who have worked to defend this worthy cause, some at the cost of their own lives. In the same vein, I would like to congratulate the winners of the United Nations Human Rights Prizes, who have shown unwavering dedication to the cause of protecting and promoting human rights.

During the last 50 years, a number of important human rights instruments have come into effect. The Commission on Human Rights has established various kinds of working groups, special rapporteurs and special procedures that have contributed to further elaborating the ideas of the Universal Declaration or to monitoring human rights situations. The Office of the United Nations High Commissioner for Human Rights has been established. Following the creation of the International Tribunals for the former Yugoslavia and Rwanda, historic progress was made when the Statute for an International Criminal Court was adopted.

Yet, despite all these encouraging developments, serious violations of human rights continue to occur. There are so many men, women and children around the world whose rights have been violated; so many people who have been deprived of their dignity. In areas where absolute poverty prevails, our goal of a world free from want is far from being a reality and people die of malnutrition or of preventable diseases.

We still have a long way to go before the lofty purpose of the Universal Declaration of Human Rights is fully achieved. We must strengthen our efforts anew in order to confront various kinds of menaces that threaten the survival, daily life and dignity of the human person and to uphold the core values of respect for life, liberty, justice and equality.

Respect for human rights, durable peace and sustainable development are all interrelated. Violations of human rights often precede conflicts. On the other hand, respect for human rights is an integral component of the post-conflict peace-building process. Without respect for human rights it is not possible to achieve peaceful solutions of conflicts; without peaceful solutions of conflicts it is not possible to achieve stable economic development.

On the basis of this recognition, Japan took several initiatives this year. The second Tokyo International Conference on African Development adopted the Tokyo Agenda for Action, which included a chapter entitled "Good Governance". The Conference affirmed that promoting respect for human rights and the rule of law was a fundamental goal to be achieved as the basic foundation for development.

In promoting universal respect for human rights, the importance of advocacy cannot be overemphasized. Japan therefore hosted a symposium on human rights in January in order to promote a sense of partnership and cooperation among the countries of the region in this field. We also hosted an international symposium on children in armed conflict in November, which is an issue that requires our immediate attention.

As United Nations High Commissioner for Human Rights Mrs. Mary Robinson and so many other people have mentioned, the Universal Declaration of Human Rights is still today a living document for every human being. Its value transcends time and space. We have to act with a sense of utmost urgency to relieve the plight of the victims of human rights violations, who are suffering even at this moment.

With this in mind, I would like to reaffirm on this solemn occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, Japan's strong commitment to this worthy cause and its determination to bring about universal respect for the inherent dignity, equality and inalienable rights of all members of the human family.

**The President** (*interpretation from Spanish*): I give the floor to the representative of Austria, who will speak on behalf of the European Union and who will have seven minutes to do so.

**Mr. Sucharipa** (Austria): As you have said, Mr. President, I have the honour to speak on behalf of the European Union. In addition, the Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated country Cyprus, align themselves with this statement; so if you take a count, I am probably sparing the Assembly some 100 minutes of statements.

First, I would like to extend our most sincere congratulations to today's winners of the United Nations Human Rights Prizes. With their courage, dedication and commitment to the cause of human rights, they represent with honour the work of countless organizations and individuals to advance the cause of dignity and freedom in their own countries and internationally.

I would also like to thank the Secretary-General and the United Nations High Commissioner for Human Rights. Their encouraging statements this morning underlined their leadership roles in the international human rights system.

The fiftieth anniversary of the adoption of the Universal Declaration of Human Rights is a time to take stock and to redouble our efforts to implement human rights in all countries of the world. The Union would like to seize this opportunity to reaffirm its commitment to the objective of achieving all human rights for all.

The Universal Declaration is a milestone in history. As the first comprehensive international proclamation of the basic rights of the individual, it established a common understanding of human rights for mankind. It was the basis for subsequent human rights instruments, not only at the universal but also at the regional level. For many countries, the Universal Declaration served as a guide in the formulation of national bills of rights. The Universal Declaration is as relevant today as when it was drafted. It remains the centrepiece in the edifice built over the last 50 years for the protection and promotion of human rights.

In this context, the European Union welcomes the adoption of the Rome Statute for an International Criminal Court as a crucial step in combating impunity and again calls on all States to sign and ratify the Statute as soon as possible.

The Universal Declaration is based on the fundamental and universal premise that all human beings are born free and equal in dignity and rights. The Declaration establishes clear principles on how Governments shall treat women, men and children. It also stipulates that "The will of the people shall be the basis of the authority of government" (*article 21, para. 3*). It entitles everyone to a standard of living adequate for the health and well-being of themselves and their families.

The idea of human rights is simple, but it had and continues to have a dramatic impact in history. It has helped to bring down colonialism, apartheid and dictatorial regimes and to end the division of Europe. Democracy and the rule of law are taking root in more and more countries. Even in temporary periods of economic crisis, it is increasingly understood that human rights are not a luxury for the few but a necessity for all. Societies are transforming under the growing recognition that the full and equal enjoyment of human rights by women and girls is essential for the advancement and empowerment of women and thus for society itself. The almost universal ratification of the Convention on the Rights of the Child is a landmark achievement in the promotion and protection of the rights of all human beings.

Today, there is broad agreement that human rights are universal and indivisible, as reaffirmed by the 1993 World Conference on Human Rights, in Vienna.

Every single State has the primary responsibility for the promotion and protection of human rights. Governments are and need to be held fully accountable. Increasingly, individual responsibility of officials for their acts is being established. But the concept of human rights is not a spear directed against States; rather, it has become clear that respect for human rights has long-term benefits for States and for those tasked with the responsibility of government. As the Universal Declaration stresses in its preamble, human rights must be protected if men and women are not to be compelled to have recourse as a last resort to rebellion against tyranny and oppression. Human rights are recognized as an essential element for ensuring stability and preventing conflict.

Still, human rights continue to be violated in all parts of the world. Even on this very day people are being denied their most fundamental right, the right to life. No country is free of human rights problems or of human rights violations. This, of course, is also true of the member States of the European Union. However, in assessing the performance of States in the field of human rights, one decisive distinction can be made, and that is the one between the many democratic Governments which are genuinely committed to addressing and overcoming human rights problems, and authoritarian regimes, which hold on to power through oppression and persecution.

In countries which have made dramatic progress over the last 50 years, the struggle for freedom and human dignity has often been led by courageous individuals who stood up against injustice and oppression. They took great risks, and many paid a heavy price. Some of them became well-respected political leaders of their countries after years of darkness.

Human rights defenders bring international human rights closer to our attention. Their work is key for ensuring that Governments live up to the commitments they have undertaken. They monitor and report; they raise awareness. However, or perhaps for that very reason, no day goes by without violations against these human rights defenders. Such a practice has to be brought to an end, and the international instrument to do so is the Declaration on Human Rights Defenders. Its adoption yesterday on the occasion of the fiftieth anniversary of the Universal Declaration is an important step for us Governments in recognizing the important role of human rights defenders. It is first of all a promise and commitment to fully respect the human rights of those men and women who devote themselves, individually or as members of non-governmental organizations, to the defence and promotion of human rights. Governments must take this commitment very seriously and intensify their efforts to secure the protection of human rights defenders.

The European Union is founded on the basis of the principles and values of the Universal Declaration, which guides both its internal policies and its external relations. At this hour, European Union Foreign Ministers, the Presidents of the European Parliament and of the European Commission, representatives of civil society and, of course, the Deputy Secretary-General, are meeting in Vienna, on the eve of the European Council, to commemorate the fiftieth anniversary. The Union is determined to ensure respect for human rights in all its actions. In this context, the European Union has adopted a special declaration on the occasion of the fiftieth anniversary, which is meant to initiate consideration of concrete measures for reinforcing the capacity of the European Union in the field of human rights. The text of that declaration is annexed to Austria's statement, which has been distributed to representatives.

We will strive for the strengthening of the international system for the promotion and protection of human rights, and we are committed to continue to cooperate with international human rights mechanisms. We actively support the work of the High Commissioner for Human Rights. We will continue to seek dialogue with other countries on human rights issues, both bilaterally and within the framework of international organizations. We will continue to support Governments and civil society, including non-governmental organizations, in their efforts in the area of human rights.

The 10th of December is the culmination of the fiftieth anniversary year, but the struggle for the fulfilment of the promises of the Universal Declaration must be continued and intensified. We should do so in partnership — between Governments and civil society, and among Governments themselves. The United Nations will continue to play a central role in this regard, as a forum for dialogue and for further improvements in international standards, and as a forum for scrutiny of the human rights performance of Member States and for assisting countries to live up to their human rights obligations.

For human rights to be respected, a deeply rooted culture of human rights has to be developed worldwide. Education, in particular human rights education, is crucial in this regard. In a world in which everybody knows his or her rights, in a world where Governments and individuals are being held accountable for their actions, the chances for human rights to prevail will significantly improve. Let us continue to work towards that goal.

**The President** (*interpretation from Spanish*): I give the floor to the representative of New Zealand.

**Mr. Powles** (New Zealand): At the outset, I should like to express my delegation's regret that this important debate is taking place in the basement of the Organization. We know the reason, but we do query the signal this sends regarding the Organization's priorities.

All over the world, including in my country, events are being held to commemorate this very significant day. With the adoption of the Universal Declaration half a century ago, the international community entered a new era in the way it conceived of the rights of the individual.

In the late twentieth century, New Zealanders continue to place great value in the security provided by the multilateral system, and we take pride in our work within the United Nations. Our engagement emerged against the backdrop of the Second World War. For the post-war international community, the devastation and degradation that had been experienced engendered a desire to rebuild — to be certain that nothing so catastrophic could ever happen again. The hunger for a fairer, better peace was powerful indeed.

The enormity of the inhumanity visited upon individuals and whole communities during that war demanded a response. New Zealand was one of a number of nations that sought to maximize the potential of this moment. Alongside other States, we called for explicit provisions in the Charter which related to human rights.

The efforts of like-minded delegations were reflected in the final version of the Charter. It begins with the familiar words: "We the peoples ... reaffirm faith in fundamental human rights". Fundamental personal freedoms are thus at the very heart of this world Organization.

The adoption of the United Nations Charter was the first time ideas about human rights and fundamental freedoms had been integrated into a negotiated international agreement. This was the first acknowledgment that the international community also had a responsibility for the promotion and protection of human rights. Article 1 of the Charter declares that one of the most important purposes of the Organization is the promotion and encouragement of "human rights and ... fundamental freedoms for all without distinction as to race, sex, language or religion".

New Zealand played a relatively unknown but important role in the negotiations which led to the adoption of the Universal Declaration of Human Rights in 1948. We strongly advocated the inclusion of economic and social rights in the Declaration. In the words of Mr. Colin Aikman, a member of the New Zealand delegation present at the negotiations:

> "Experience in New Zealand has taught us that the assertion of the right of personal freedom is incomplete unless it is related to the social and economic rights of the common man. There can be no difference of opinion as to the tyranny of privation and want. There is no dictator more terrible than hunger." *(A/PV.181, p. 117-120)*

Recalling these words, spoken 50 years ago, reminds us that human rights — civil, cultural, economic, political and social — are indivisible. The Secretary-General has reminded us that human rights lie at the heart of all that the United Nations aspires to achieve in peace and development.

The fiftieth anniversary is a moment to reflect on what we have achieved over the last 50 years in the field of international human rights. We can take pride in the fact that the international community has developed a comprehensive framework for the promotion and protection of human rights. It covers the full range of human rights, including the right to development. These rights are universal. We call for their full acceptance and implementation.

We have also established within the United Nations a High Commissioner for Human Rights, invested with a strong mandate and worthy of our respect for the excellent work that she is doing. We must support this Office not just with words but with concrete resources.

Our reflections should not take in only the past. As States we must take primary responsibility for the promotion and protection of human rights. This work does not rest solely in the hands of Governments, however. Indeed, the very impetus behind the Universal Declaration 50 years ago began in the words and deeds of civil society.

Nothing has changed in this regard. Today there are large numbers of individuals and organizations committed to the promotion and protection of human rights at the grass roots of society. The work of these human rights defenders is fundamental. They speak for individuals and groups who have no voice. New Zealand therefore applauds the adoption by the General Assembly yesterday of the Declaration on Human Rights Defenders.

In conclusion, the progress we have made in the last 50 years gives us good reason to look ahead with optimism. But we go forward knowing that in the last 50 years we have failed to live up to the ideals contained in the Declaration. The Declaration was adopted with the intention of guarding against the atrocities witnessed during the Second World War. Yet since it was adopted we have witnessed genocides in Cambodia and Rwanda, and "ethnic cleansing" in Bosnia. We enter the new millennium knowing that violations of fundamental human rights and freedoms are still taking place in many parts of the world. That is why this day must be one not of self-congratulation, but of deep reflection and recommitment.

**The President** (*interpretation from Spanish*): I now give the floor to the President of the Constitutional Court of Kyrgyzstan, Mrs. Cholpon Bayekova.

**Mrs. Bayekova** (Kyrgyzstan) (*interpretation from Russian*): The commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights is an event of historic significance. It not only sums up the activity of Governments and the United Nations in the field of human rights, but also affords an opportunity to determine subsequent actions in this area with a view to achieving universality and the full and comprehensive implementation of all human rights and fundamental freedoms. It is noteworthy that this commemoration coincides with the fifth anniversary of the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, which culminated in the adoption of the Vienna Declaration and Programme of Action, and also with the fiftieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, and with the establishment of the International Criminal Court. To this extent, 1998 will go down in history as the year of human rights.

I say "to this extent" because there are, unfortunately, as yet insufficient grounds for proclaiming the true triumph of human rights in the international community. We are still seeing armed conflicts, accompanied by the mass exodus of refugees, violence and flagrant violations of human rights. We see how authoritarianism stifles democracy, chokes the shoots of freedom and slows development. We are witnesses to poverty and various forms of intolerance, discrimination and debasement of human dignity. We are convinced that double standards still exist in the field of human rights. As long as these challenges still exist, we cannot and must not rest on our laurels.

Mankind must realize that human rights, development and democracy are interrelated, that the progress of society is measured above all by the state of affairs with respect to human rights, and that guaranteeing and protecting human rights and fundamental freedoms lies at the foundation of peace and stability. Mankind must continue to aspire to the radiant dream of a time when all individuals will enjoy human rights and the individual will be the embodiment of human rights.

The Declaration is a kind of international yardstick with which Governments can measure progress in the field of human rights. It is not by chance that the purposes and principles contained in the Declaration and in the International Covenants on Human Rights have been reflected in the constitutions and national legislations of many States of the world, including in the Constitution of the Kyrgyz Republic, which was supplemented and amended as a result of the nationwide referendum held on 17 October with a view to the further development of democracy and of various forms of ownership and to the provision of firm guarantees of freedom of speech and of the press.

Attaching great importance to the Universal Declaration, Kyrgyzstan ratified it as far back as the Republic's twentieth day of independence, on 20 September 1991, thus placing human rights firmly among the highest priorities of its domestic and foreign policy. We have acceded to all six of the main international human rights agreements and also to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. I am also pleased to announce that the day before yesterday I signed the Statute of the International Criminal Court.

In accordance with General Assembly resolution 52/117, an organizational committee was set up in Kyrgyzstan and a national programme was drawn up for the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights. Under this programme, a number of monographs and collections of articles were published; scientific and practical conferences, symposiums, seminars and competitions were held; a series of postage stamps was issued depicting leading human rights activists; and a solemn meeting took place with the participation of the President of the Kyrgyz Republic, Mr. Askar Akayev, deputies of the Parliament, members of the Government and the diplomatic corps and representatives of international organizations and the general public. A bill of amnesty was submitted to Parliament to mark the seventh anniversary of Kyrgyzstan's independence and the fiftieth anniversary of the Universal Declaration of Human Rights, and a moratorium on capital punishment was also proclaimed. Currently, Kyrgyzstan is preparing to submit to the United Nations, on 22 January 1999, its first report on the implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women.

The commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights is an occasion for the further stepping up of activities to increase awareness of the development, promotion and protection of human rights and fundamental freedoms. This solemn event should make us think about what we do every day. But let this everyday work not darken and overshadow this glorious day.

**The President** (*interpretation from Spanish*): I give the floor to the Vice-Minister for Foreign Affairs of Mexico, Ms. Carmen Moreno.

**Ms. Moreno** (Mexico) (*interpretation from Spanish*): Mexico is here before the highest forum of the international community to reiterate its unswerving commitment to the promotion and protection of human rights. We have come here to bear witness to the political importance, continued validity and relevance of the values embodied in the Universal Declaration of Human Rights, which represents the aspirations of the peoples and individuals that constitute the United Nations.

For 50 years this Declaration has attested to the diversity, plurality and creativity of the human being. It aims to guarantee the full and harmonious development of the individual and recognizes the value of the individual in the community.

When it was first presented, Mexico decisively supported this initiative. We were active participants in designing it, and we contributed elements of Mexican law to it: the legal concept of *amparo* was included among the fundamental rights. We are honoured to have been one of the 48 States that voted in favour of the Declaration.

Fifty years ago we Mexicans had already embodied in our 1917 Constitution a broad range of individual and social rights. Since then these rights have been enriched through the signature and ratification of numerous international conventions of the United Nations and the Organization of American States — some on offences such as torture and racial discrimination, others expanding the protection of vulnerable groups, such as children, disabled persons and migrant workers. Today Mexico is a party to 41 international human rights instruments and cooperates fully with their mechanisms.

To convert into deeds the spirit of the Universal Declaration, we are constantly strengthening our legal framework. On 1 December this year the Senate unanimously approved the recognition of the jurisdiction of the Inter-American Court of Human Rights, thus also contributing to the consolidation of the inter-American system in this field.

The human rights of migrant workers have been a constant concern of the Mexican Government. The alarming increase in violations demands our attention and a remedy. The Mexican Senate is considering the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, with a view to its ratification.

Women's rights have been particularly strengthened since the historic United Nations World Conference of the International Women's Year, held in Mexico City in 1975; but we must broaden those rights even further.

In Mexico we are determined to eradicate impunity and to promote a culture of respect for human rights. We believe that any violation of human rights should be punished.

However, the full exercise of human rights faces serious obstacles and challenges. Pending issues still require priority attention; discrimination and xenophobia, racism, inequity and extreme poverty are sources of human rights violations. We must also avoid double standards and the selectivity and politicization that distort the principles embodied in the Universal Declaration.

We recognize, as any other State committed to human rights, that there is still a long way to go to achieve the full implementation of the values enshrined in the Declaration.

We must work without respite to achieve a more just and equitable international order, with greater shared responsibility, one that addresses the main shortcomings in a timely and effective manner and overcomes the challenges of the end of the century. The right to development is an essential component of the universal regime of complete respect for all human rights. The lofty principles enshrined in the Declaration must be a driving force that promotes the full development of the human race.

We reiterate today, from this rostrum, Mexico's commitment to the full and constant implementation of the Universal Declaration of Human Rights. On the commemoration of the fiftieth anniversary of this Declaration, a document that represents both the origin and the objective of historical processes, we must use this opportunity to reiterate our commitment to the promotion and protection of human rights.

Mexico, for its part, will continue to help transform into deeds the principles of that historic Declaration.

**The President** (*interpretation from Spanish*): I now call on the representative of the Syrian Arab Republic.

**Mr. Wehbe** (Syrian Arab Republic) (*interpretation from Arabic*): Today we and the world are commemorating the fiftieth anniversary — the golden jubilee — of the Universal Declaration of Human Rights, which has its roots in the first and second preambular paragraphs of the United Nations Charter:

> "We the peoples of the United Nations determined to save succeeding generations from the scourge of war, ... reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small."

The Universal Declaration of Human Rights, in its first article, provides that

> "All human beings are born free and equal in dignity and rights."

This is fully reflected in the Charter. However, that text and others on human rights also have their roots in ancient civilizations, whose heritage is still alive, carved in stone, such as the Code of Hammurabi, written almost 4,000 years ago. Such texts did not come from a vacuum; they are a product of history. The Arab Caliph Omar Bin Al-Khattab The Just, said more than 13 centuries ago, "How could man enslave his fellow man when he was born free?"

The importance of this day resides in the fact that it opens the door for us to talk of the challenges that face us in the light of international developments, particularly over the last two decades since the Universal Declaration was adopted. As regards the achievements in drafting agreements in the field of human rights, we believe that there is no longer a need for further covenants, charters or protocols — or to force them into every decision made.

On that basis, there is no need for new mechanisms to implement these covenants, charters or resolutions. What is really called for is true international political will, good faith and a true belief in the equality of human beings before the law, regardless of colour, ethnicity or religion. In this context, I would reaffirm that the challenges facing the international community are based on, first, the need for avoiding double standards or selectivity in international relations. Secondly, there is a need to face up with strong political will to racial laws and practices, particularly ethnic cleansing and collective expulsion, wherever they occur. Thirdly, there is a need for the international community to face up to occupation and settlerism, because these are violations of the first order of human rights. We must not be silent before the occupier and its practices of injustice and oppression of the dignity of those under occupation, particularly in the Arab territories occupied by Israel.

Fourthly, non-discrimination between the fundamental rights and freedoms of human beings, whether political, social, economic or cultural, is needed. We must concentrate on the right to development, and we must not link human rights to economic assistance. Fifthly, the United Nations machinery must not be abused in a diplomatic framework in order to intervene in the internal affairs of other States. There must be no arbitrary measures or undemocratic means in international relations, under the pretext of defending human rights. Sixthly, we must truly realize the extent and concepts of human rights in relation to the civilization and cultural heritage of every society. It would be erroneous to believe that concepts and particular patterns of human rights can be imposed on peoples. Every people has its own history; every nation has its own culture and heritage. Through dialogue, through interaction between civilizations and through free will, a common understanding can be reached in a practical framework.

Syria has committed itself to the Universal Declaration of Human Rights. It has participated in drafting international human rights covenants and instruments. We have adhered to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Our Constitution and legislation fully reflect the standards and human concepts embodied in these principles.

In conclusion, I would like to express my appreciation to the Secretary-General for his efforts, as well as to Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights. I would like to express Syria's continued readiness to reach out and to cooperate with the international community for a better world of peace, security, stability and dignity for humankind.

**The President** (*interpretation from Spanish*): I now call on the representative of Jordan.

**Mr. Abu-Nimah** (Jordan) (*interpretation from Arabic*): Our commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights today is a unique opportunity to reaffirm the fundamental humanitarian principles that form the underpinnings of the Declaration as comprehensive and indivisible rights.

Since 1948, the world has realized many accomplishments in the area of developing and promoting large-scale protection of human rights, through the adoption of international instruments and conventions to protect those rights. These have been inspired by the Universal Declaration, which did not constitute, at the time of its adoption, a legal obligation; nor did it reflect international law at that time. In spite of this, the adoption of the Declaration was a shared achievement for all peoples and nations. The Declaration has become a historical milestone, confirming that human rights issues had become a legitimate concern of the international community, in accordance with the Charter of the United Nations, which placed on the shoulders of all nations a collective responsibility to advance and promote international respect for human rights at all levels. Thus, these rights, which belong to all members of the human family, have become the basic minimum standard binding on all States.

Our responsibility today is to provide the political will needed to ensure respect for and development of human rights by adopting international norms, which are recognized as absolute and free from double standards, in order to ensure justice and objectivity in the monitoring of their application. This surely will help to bridge any gap in this regard. It is clear that this responsibility will not be completely fulfilled without the promotion of economic and social rights and the right to development, in view of the conditions of material deprivation and poverty suffered by increasing numbers of human societies. In this regard, we cannot but pay tribute to the ceaseless personal efforts made by Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights, in her endeavour to create benchmarks that would put economic and cultural rights on a par with civil and political rights.

My country, Jordan, in spite of its sensitive position in the Middle East, its difficult economic conditions and its hosting of the largest number of Palestinian refugees, has spared no effort to provide all possible assistance to refugees and to grant them all rights, without discrimination, until their cause has been achieved by just, legal and acceptable means. In that spirit, Jordan fully supports peoples in their exercise of the right to self-determination, in the context of international humanitarian law, including the full right of the Palestinian people to self-determination and to establish its independent State on its national soil, with Jerusalem as its capital.

On the other hand, and in addition to emphasizing the values of tolerance, the defence of human rights, guaranteed under the Jordanian Constitution and domestic legislation, the separation of powers and the independence of the judiciary one must say that the Declaration's real value lies in its making equality and the observance of human rights a part of the intellectual fabric and the daily life of the average Jordanian through practice and application. The Government of Jordan promotes the consolidation and institutionalization of human rights at the national level through the establishment of national institutions specialized in the area of human rights, at both the conceptual and practical levels.

Not only has Jordan always opted for dialogue and openness in dealing with its surroundings in a region that has suffered crises since the beginning of the century; it has also applied this approach in its legislation and domestic policies, which have been strengthened by its adherence to 17 human rights covenants.

I affirm that we all are called on to cooperate and coexist in accordance with our civilizations, religions and different ethnic groups, and to seek a formula for dialogue that highlights the common denominators of the different creeds and religions of the peoples of the world. This will help us to achieve our common goal of building a system of ethical values shared by all civilizations, to ensure respect for human rights and human dignity and to preserve our political, physical and ethnic plurality. Absolute respect for human rights within the framework of democratic rules and laws, which are the result of the implementation of these rights as well as a guarantee of their continuity and flourishing, is the only way — indeed, it is a short cut — to establish prosperous, advanced, coherent and healthy societies capable of building a better future for this world. We call upon all States of the world to place the protection of human rights in its rightful place at the forefront of their priorities.

**The President** (*interpretation from Spanish*): I call on the representative of Australia.

**Ms. Wensley** (Australia): I feel very privileged and proud to speak for Australia at this historic commemoration, although I must say that it is our view also that it would have been more fitting to conduct this important debate in the General Assembly Hall, with the full weight, dignity and solemnity that that venue confers and that this occasion demands. In this supreme intergovernmental body, we feel it is the voices of government that should be singing loudest today.

My sense of pride is particularly pronounced because Australia was one of the eight members of the small group of countries charged with drafting the Charter, along with Chile, China, France, Lebanon, the former Union of Soviet Socialist Republics, the United Kingdom and the United States of America. Our inclusion in that group is, on occasion, overlooked. In the wonderful film that was shown as part of the series being seen in the Dag Hammarskjöld Library at the moment to commemorate this event, the camera pans very quickly over the Australian plate; and I did not hear the name of William Hodgson mentioned in Peter Burleigh's list.

But let me assure the General Assembly that Australia's inclusion in that group was neither accidental nor the luck of the draw. It actually flowed from the significant role that Australia played at the end of the Second World War in contributing to the development of international human rights policy. Our then Foreign Minister, Mr. Evatt, made a key contribution during the negotiations on the United Nations Charter to ensure that respect for human rights was placed equally alongside peace, security and development as the primary objectives of the United Nations, and it was very much in recognition of Australia's efforts in promoting human rights in the newly established United Nations that we were included in that drafting committee. We also held the presidency of the General Assembly when the Declaration was adopted by the United Nations in Paris on 10 December 1948.

Fifty years later, we join with alacrity the international community's celebrations of this powerful instrument, which continues to have an enormous effect on people's lives all over the world. Yesterday, my Prime Minister sponsored a motion in the Australian Parliament recognizing the fundamental importance of the Declaration and reaffirming Australia's commitment to the principles that it articulates. Yesterday also, Australia signed the Statute to establish an International Criminal Court, an act of symbolic importance on the eve of today's celebration, underscoring a very important fact that the body of international human rights law is not static, but is still evolving.

Despite the impressive and ever-evolving body of international human rights instruments and mechanisms, as Mrs. Robinson reminded us this morning, the protections embodied in them can be fully realized only if they are universally and fully implemented. The more effective and widespread the implementation of the instruments, the greater the protections, quite simply, to each and every individual.

The real challenge facing us, therefore, is not just to continue developing the human rights system, but to do the less dramatic, the less eye-catching, the more practical work of ensuring that existing mechanisms and instruments work as effectively as possible. We also need to give adequate protection to the defenders of our human rights, to those who put their lives on the line to protect others, whether they be individuals, groups, non-governmental organizations, lawyers or anyone committed to the promotion and protection of human rights and fundamental freedoms. It is for that reason that my Government particularly welcomes the adoption of the Declaration on human rights defenders as an apt conclusion, in a way, to the celebrations marking this human rights year.

We also want to underline that this year is not just the fiftieth anniversary of the Universal Declaration of Human Rights, but also the year that marks the five-year review of the Vienna Declaration and Programme of Action. We think that the commemoration of these two events has a special significance, given the interrelationship between the Declaration and the Vienna Programme of Action. If the Declaration is the foundation on which the United Nations human rights goals are built, then it is the Vienna Programme of Action that charts the course for the international community into the next century by providing a framework of principles and a practical programme of activities for achieving these goals.

This celebration gives us an opportunity to promote the message of the Universal Declaration and to provide fresh inspiration to us all to continue our efforts to achieve all human rights for all. For its part, Australia will continue to do all it can, domestically, in our region of the Asia-Pacific and internationally, to promote and protect the rights enshrined in the Declaration to ensure that they become a reality throughout the world.

**The President** (*interpretation from Spanish*): I call on the representative of Andorra.

**Mr. Minoves-Triquell** (Andorra) (*spoke in Catalan; English text furnished by the delegation*): The twentieth century has been the century of the great wars, of millions of dead, of the atom and of totalitarianism. During this century we have demonstrated that we human beings have the ability to inflict total destruction upon ourselves. At the end of the millennium, it can be frightening to look back, and certainly very few of us can evaluate our recent history without shuddering, for we have been so close to the edge. However, though we drew near enough to the abyss of evil, we were able to opt for the light that emanates from the flame of the human spirit. After the Second World War, as we strove to demonstrate which economic system was the most appropriate for the development of mankind, we were building, sometimes imperceptibly, a doctrine that proclaimed the intrinsic values of the human condition.

Today we commemorate the fiftieth anniversary of the Universal Declaration of Human Rights. In itself this date redeems, but does not forgive, the disasters of our age. For the first time, humankind had a universal guide to good and evil approved by all peoples. Before 1948, to kill, to torture, to discriminate and to abuse could be a reason of state. With the Universal Declaration, a clear concept separated what was worthy of humankind from what was not. While it is true that over the centuries, various cultures, philosophies or religions have promoted tolerance and respect towards others, it was not until 1948 that the peoples of the earth adopted the concepts that transcend what is personal and near to us. The Declaration is universal, bringing together, and even transcending, all cultures and traditions, uniting human beings with common principles that are clear and non-negotiable.

No law has value if it is not applicable and ultimately applied. The Universal Declaration of Human Rights has not lain stagnant during these 50 years. After its adoption, the United Nations Human Rights Committee set the objective of reflecting its principles in binding international treaties with specific provisions for the States that adhere to them. This objective has to a large extent been achieved.

Another reason to rejoice is the success achieved last summer at the Rome Conference for the establishment of an International Criminal Court. Although we are still at the initial stage of laying these new foundations of international law, recent events encourage us to believe that those who in the future claim that the means justify the ends, thus trampling human dignity, will not go unpunished.

Andorra participated actively and steadfastly in the Rome Conference, the result of which was that the first words of the Statute of the International Criminal Court were drafted by the Andorran delegation. It is Andorra's mission, with 720 years of uninterrupted peace behind it, to speak out on human rights issues in international forums, with the honesty accorded by the lack of major geopolitical interests. Moreover, Andorra's traditional dedication to tolerance, freedom and individual dignity, as praised by the refugee Brother Tomàs Junoy during the early decades of the nineteenth century, led, during the years of constitutional consolidation, to the current complete integration of human rights laws into the body of law. Within the context of the Council of Europe, Andorra has already adhered to all European instruments related to human rights. Since our admission to the United Nations, we have become a State party to the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. Coinciding with the anniversary of the Universal Declaration, the Government of Andorra has already adopted the necessary measures to process the remaining human rights instruments of the United Nations.

Andorra, as a small State, knows its inhabitants. The words of Eleanor Roosevelt, Chairperson of the Human Rights Committee in the early years of the United Nations, now touch us more than ever:

> "Where, after all, do human rights begin? In small places, close to home, so close and so small that they cannot be seen on any maps of the world ... Unless these rights have meaning there, they have little meaning anywhere."

In Andorra, where the community is small, we must make a special effort to ensure that respect for human rights is more universal and more present than ever in the fields of education, in our justice system, in relationships between individuals, in relationships between institutions and citizens, in the exercise of our democracy and in the expression of our international solidarity.

During these 50 years of human rights, we have laid the foundations for the future solidarity of humankind. The third millennium will witness fairer relations between human beings. The 1993 Vienna Declaration, like the guidelines of the United Nations High Commissioner of Human Rights, Mrs. Mary Robinson, point the way for the years to come. The right to development, the recognition of the rights of indigenous peoples, the rights of the physically disabled, progress in gender equality and responsibilities in the promotion of rights are some of the issues that form the context of the present debate. Andorra, which was just beginning its modern economic development in 1948, could not contribute then to the drafting of the Universal Declaration of Human Rights. However, today we have the privilege of full participation, and we undoubtedly will participate in its future development.

**The President** (*interpretation from Spanish*): I call on the representative of Oman.

**Mr. Al-Hinai** (Oman): As we commemorate the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights and the fifth anniversary of the Vienna Declaration and Programme of Action, adopted at the World Conference on Human Rights, it is an opportune time for the international community to reinforce what has been achieved in the area of human rights towards the full realization of the noble goals and objectives enshrined in the Declaration.

In its relations with other States, Oman is guided by the principles and objectives enshrined in the Charter of the United Nations, and in this regard, Oman has always reiterated the need to establish friendly relations with other States based on cooperation and coexistence. The conferring of the International Peace Award on 15 October 1998 on His Majesty Sultan Qaboos bin Said by 33 non-governmental organizations and universities in the United States is a true attestation to the distinct role Oman plays for creating an atmosphere of understanding and peaceful coexistence in our region and the world at large.

With the promulgation of the basic statute of the Sultanate of Oman on 6 November 1996, the legal system in Oman was elevated to a higher plane, whereby the statute's seven chapters define the system of government, the principles governing State policy, public rights and duties and the roles of the Head of State, the Government, the judiciary and Majlis Oman, a bicameral Parliament comprising the Majlis Ash-Shura, with its 82 elected members, and the 41-member Majlis Ad-Dowla. The basic statute of the State further reaffirms the enjoyment by the people of all civil and fundamental rights, including freedom of expression, thought and religion. Oman guarantees full access to free health and educational services for all its people, as it continues to aspire to achieve a higher level of security and prosperity for all.

My Government firmly believes in the importance of the right to development as an integral part of basic human rights. Nowhere is this more pertinent than in the developing countries, where poverty, deprivation, lack of basic health and educational services, unemployment, instability and internal conflicts challenge the very basis on which human rights stand.

As we commemorate this important occasion, let us not forget that the Palestinian people have been fighting for the last 50 years for those same basic human rights enshrined in the Declaration. My country hopes that the peace process in the Middle East will eventually translate the hopes and aspirations of the Palestinians into the realization of an independent State which will enjoy all basic human rights.

As we approach the third millennium, it is our hope that through the United Nations and its relevant bodies, as well as regional organizations, the international community will be able to realize the noble objectives enshrined in the Charter of the United Nations, which would benefit all nations and secure their most legitimate right to live in peace and prosperity.

**The President** (*interpretation from Spanish*): I call on the Observer of Palestine.

**Mrs. Barghouti** (Palestine) (*interpretation from Arabic*): We meet here in the United Nations on Human Rights Day to commemorate the fiftieth anniversary of the Universal Declaration of Human Rights. This fundamental document holds great importance for human beings all over the world. The commemoration of its fiftieth anniversary has a special meaning that should give all of us the incentive to continue to work and struggle to achieve all that is set forth in the Declaration, not just in certain places but everywhere in the world, and not only for a few people but for all people throughout the world. This commemoration should also remind us of the importance of working and struggling to guarantee the implementation of and respect for other human rights instruments, as well as of international humanitarian law and international law in general.

The first preambular paragraph of the Declaration states,

> "*Whereas* recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".

The international community has without a doubt achieved great advances in that direction. At the same time, we all realize that there are still urgent responsibilities that must be fulfilled in order to reach our goals and objectives in this regard. Accordingly, as we reaffirm individual human rights, we must also reaffirm collective human rights, including the rights of deprived and poor peoples, and the rights of people to life, self-determination, development, freedom and independence.

The General Assembly divided Palestine only a few days before the adoption of the Universal Declaration of Human Rights. Since that day, the Palestinian people have remained a unique example in their subjugation and violations of their human rights. There is not a single article of the Declaration whose rights the Palestinian people are not deprived of, nor is there a single article that Israel, the occupying Power, does not violate. Here I would like to refer to article 3, regarding the right of everyone to life, liberty and security of person; to article 5, which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment; and to article 13, which stipulates the right to freedom of movement and the right of each individual to return to his country.

We hope that this commemoration will provide an occasion for the international community to renew its commitments and to meet its obligations to combat all violations of human rights. The fiftieth anniversary of the Declaration should also serve as a forum for the development of more innovative ways and means to monitor and guarantee the implementation of the objectives set forth in the Declaration and in all the relevant international instruments. Fifty years ago the Declaration provided us with basic principles and goals in the struggle for basic human rights and dignity. Its fiftieth anniversary, which coincides with the dawning of the new millennium, should inspire in us the desire and vision to see that its principles are fully implemented and respected as we enter the twenty-first century.

*The meeting rose at 1 p.m.*

United Nations

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# General Assembly

Fifty-third Session

*Official Records*

**87**th plenary meeting
Thursday, 10 December 1998, 3 p.m.
New York

*President*: Mr. Opertti . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . (Uruguay)

*In the absence of the President, Mrs. Ataeva, Turkmenistan, Vice-President, took the Chair.*

*The meeting was called to order at 3.10 p.m.*

**Agenda item 46** (*continued*)

**Fiftieth anniversary of the Universal Declaration of Human Rights**

**(a) Fiftieth anniversary of the Universal Declaration of Human Rights**

**The Acting President** (*interpretation from Russian*): I call first on the representative of Benin.

**Mr. Yacoubou** (Benin) (*interpretation from French*): The speakers preceding me have already made statements eloquently describing the great significance of this memorable day, when the international community is commemorating the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights. The tone and content of the statements, in particular those of the Secretary-General, the United Nations High Commissioner for Human Rights and the President of the General Assembly show the special interest and commitment that the United Nations has always had for matters relating to human rights.

Through the award ceremony for the human rights prizes, our Organization has shown that human rights are a matter of concern to all individuals and groups of individuals, each of whom should, in his or her own way, contribute to enhancing those rights.

The delegation of Benin welcomes this initiative and congratulates the laureates of the human rights prizes on their commitment to this great cause. The awards reflect not only merit, but also and above all they encourage us to struggle to preserve the dignity of the human person.

The importance and value that each State attaches to human rights issues should be highlighted on the occasion of the fiftieth anniversary and be reflected in the way in which it commemorates this day.

Like other countries, Benin is doing its best to practice democracy and, in a culture of human rights, to celebrate this important event in a very special way. Our observance of the Universal Declaration of Human Rights centres around two complementary programmes, one being carried out by the National Committee to Prepare and Organize the Fiftieth Anniversary, established by the Government, and the other arising from civil society and coordinated by the Institute on Human Rights and the Promotion of Democracy.

The overall programme includes several national and departmental seminars and workshops and several conferences and meetings to discuss the themes of the Declaration, in French and in the national languages. Some of our events are travelling programmes and are geared towards students in colleges and schools, and towards the public security forces. We also have "open

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house" days at institutions which promote and defend human rights, cultural activities focusing on human rights, particularly relating to the rights of women and children, a press campaign and radio and television broadcasts in French and in national languages. In addition we have groups travelling throughout the country to bring the message of the Universal Declaration of Human Rights to people who live in the most remote corners of our country.

Our programme began on 16 November 1998 and will end on 12 December. We could not have implemented it without technical and financial assistance from the United Nations Development Programme (UNDP) and other development partners who contributed substantially to organizing the events.

I have described in brief what Benin has been doing to commemorate this fiftieth anniversary in order to demonstrate how much the Government remains committed to promoting human rights and respect for the related international instruments, particularly the Vienna Declaration and Programme of Action.

The objective sought in the 1948 adoption of the Universal Declaration of Human Rights was to eliminate once and for all the spectre of war which twice had brought great suffering to mankind and whose main causes included the violation of human rights.

Unfortunately, however, despite all that the international community has done, the human race continues, on the eve of the twenty-first century, to witness the tragic theatre of deadly and genocidal conflicts and horrible acts, mostly because of religious fundamentalism and the exacerbation of racial, ethnic and social discrimination policies.

The international covenants on civil and political rights and on economic, social and cultural rights, as well as the various international human rights conventions, constitute the effective international instruments which must help promote human rights.

The educational and informational preventive action of the United Nations Decade for Human Rights Education, 1995-2004, is part of a strategy to sow in the hearts of man the seeds of peace, tolerance and non-violence.

**The Acting President** (*interpretation from Russian*): I now call on the representative of Mozambique.

**Mr. dos Santos** (Mozambique): We feel greatly honoured and privileged to take part in this momentous occasion of the celebration of the golden anniversary of the Universal Declaration of Human Rights. This historic universal instrument has been and remains the guidepost of our relations as human beings. Celebrating the Universal Declaration is celebrating our humanity and our humanness, for to uphold the provisions of the Declaration is to uphold the reason of our being; it is respecting and protecting our dignity.

Today more than ever before, we have reasons to celebrate our achievements in the implementation of human rights instruments that aim at ensuring respect for and protection of the fundamental freedoms of all peoples. By establishing, disseminating and fulfilling the obligations stemming from international legal instruments, the international community, of which we are all an integral part, has been able to promote understanding among communities, peoples and nations. The value of international cooperation in the field of human rights has been recognized by virtually all countries of our planet.

As we gather here today to mark the fiftieth anniversary of the Universal Declaration, we should pause and reflect on the wealth of experience we have gathered and use it to develop creative and objective approaches to the field of human rights. Such approaches should contribute towards a broader acceptance of the norms set by international human rights law. Of particular importance in this regard are the two fundamental principles of universality and indivisibility of human rights.

At the dawn of a new century and a new millennium, it is our duty to recommit and rededicate ourselves to the ultimate goal of ensuring all human rights for all. In so doing we will be paying a well-deserved tribute to all those men and women who gave their lives in defence of fundamental freedoms and rights.

We in Mozambique look to this commemoration as an occasion to educate ourselves on the scope and magnitude of human rights and fundamental freedoms, taking into account that the promotion and protection of these rights is essentially everyone's responsibility. We recognize the primary responsibility of the State to ensure the enjoyment of human rights by citizens. The Constitution of our country provides for a society of social justice in which material and spiritual well-being is created without discrimination on the basis of race, gender, ethnic origin or religious affiliation. As we rebuild our country, coming out of a devastating war, we are developing a culture of peace based on reconciliation, tolerance, solidarity and respect for human rights.

To mark the fiftieth anniversary of the Universal Declaration of Human Rights, the Government of Mozambique has prepared a nationwide programme of activities which involve all sectors of our society. The intention is to ensure that no one will be left out and that everyone will have an opportunity to know more about his or her rights as an individual and as part of a community. The key element of those celebrations is human rights education, because without knowledge people cannot claim their rights or report human rights violations.

Our ultimate goal is to eradicate poverty, illiteracy and disease, which constitute the major stumbling block to the enjoyment of rights and freedoms by our people. In our efforts we pay special attention to those who suffer the most: women and children. We are constantly improving our capacity to deal effectively with these challenges. In this context, we would like to underscore the need for the preservation of the integrated, interdependent and indivisible nature of all categories of rights, where political and civil rights, economic, social and cultural rights are treated equally.

We agree with the Secretary-General when he states that the right to development is the measure of the respect of all other rights. We therefore identify ourselves with the purposes and objectives of the 1986 Declaration on the Right to Development.

The establishment, last July at Rome, of the International Criminal Court represents a remarkable contribution to the promotion and protection of human rights all over the world. In Rome we created an unprecedented comprehensive legal framework to safeguard human rights and bring to justice those responsible for the most heinous crimes witnessed by humanity, such as those committed recently in Rwanda and former Yugoslavia.

In conclusion, I would like to reiterate Mozambique's commitment to the Universal Declaration and to our collective responsibility to ensure that the horrors and uncertainties of the past and the continued violations of fundamental human rights are not repeated in the new millennium. We must collectively devise appropriate strategies and find ways and means which will enable future generations to live in harmony, peace and sustainable development.

**The Acting President** (*interpretation from Russian*): I call next on the representative of Monaco.

**Mr. Boisson** (Monaco) (*interpretation from French*): Let us cast our minds back to 10 December 1948, when the most horrible and deadly of events, spawned by hatred and contempt, is fresh in our memories.

The United Nations Charter, signed at San Francisco on 26 June 1945, entered into force on 24 October of the same year. Among its hastily constituted bodies was a Commission for progress on human rights. In December 1947, at Geneva, the Commission took the historic decision to formulate an international charter of human rights which, like the San Francisco Charter, was to consist of three parts: a preamble in the form of a solemn declaration; a binding operative part in the form of a convention, including implementation measures; and an integral judicial organ, to function as the International Court of Justice functions with respect to the Charter of the United Nations.

A working group chaired by Eleanor Roosevelt, with the French professor of law René Cassin serving as Rapporteur, immediately set to work. The Universal Declaration of Human Rights, the first element of this human rights charter, was drafted in less than a year; it was a cry of outrage from consciences horrified by what had happened and determined to rebuild on the ruins left by a savage war an international society that would be peaceful because it was more just and more humane.

We then had to wait nearly 20 years, until 16 December 1966, for the second element of the charter to be adopted: the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. And it was more than 30 years later, in July 1998, that the final part of the trilogy, the Statute of the International Criminal Court, was adopted at Rome.

This has thus been a long and difficult history, with numerous participants to whom we owe deep gratitude, a gratitude we must bear in mind as we mark the fiftieth anniversary of the Universal Declaration of Human Rights, which was proclaimed in Paris, at the Palais de Chaillot — where its message remains, carved in stone.

This solemn Declaration was adopted quietly in 1948, without opposition but not without reservations. Today, it is universally recognized. It is taught in schools and universities. It is the theme of debates and conferences and the regular subject of publications, press reports and radio and television broadcasts. Men and women have been thrown into prison, tortured and often murdered for upholding it.

The principles it proclaims are remarkable in their significance. Even when they are not directly quoted, they inspire the basic laws, constitutions or statutes of our States. Indeed, the 1962 Constitution of Monaco devotes its Part III to these principles, thus giving them incontestable authority. Our courts are obliged to respect obligations deriving from these principles, whether they relate to ends or to means. The Principality's Supreme Court must rule on appeals on matters that could undermine these fundamental rights and freedoms. Even earlier, the 1911 Constitution had included a similar provision which was remarkable for its time.

The right to freedom, to equality, to solidarity; the rights set out in the 1948 Declaration; those of the European Convention on Human Rights, of the African Charter on Human and Peoples' Rights, of the American Convention on Human Rights: all these rights are universal, indivisible and interdependent. Thus, there can be no discrimination: all men, all women and all children have the right to enjoy them.

The convictions proclaimed in the Universal Declaration are at the very heart of every society. Their roots run deep in the great cultural and religious traditions and in the ethical and moral precepts that over history have moved peoples in the direction of greater progress and greater justice. While, owing to the great diversity among civilizations, the way in which these precepts are expressed varies, the basic values that are the cornerstone of the Declaration are fundamentally the same for us all. Those to whom the United Nations Human Rights Prize was awarded this morning bear witness to this.

In 1968, when the Declaration was 20 years old, the Tehran International Conference on Human Rights confirmed the general view that the peoples of the world had the same concept of the inherent inalienable and inviolable rights of all members of the human family. At the same time, the United Nations Educational, Scientific and Cultural Organization published a collection of texts drawn from the most diverse traditions and eras. The very variety of the origins of those texts, coupled with the profound unity of their message, illustrated the universality, in time and in space, of people's desire for and rightful claim, as stated in the preface, to the right to be a human being.

On the eve of the Second World War, when weapons in Europe were beginning to thunder, Paul Valéry wrote that,

> "The wind is rising ... we must attempt to live." (*Charmes, Le Cimetière Marin*)

The wind did rise, and it devastated the world. Those who survived the cataclysm wrote down in letters of gold on 10 December 1948 the principles that the human race should follow to ensure that human beings could live in peace and dignity. The Principality of Monaco, which subscribes to the principles and norms-recognized in the instruments of the United Nations, appreciates the emotion and solemnity associated with this commemoration today. We ardently hope that this event will serve as an opportunity for real progress to be made in recognizing and respecting those principles so that human rights will become not just a shared ideal to attain, but a daily reality for all peoples and nations.

**The Acting President** (*interpretation from Russian*): I now call on the representative of Iceland.

**Mr. Ingólfsson** (Iceland): Today, the world celebrates the fiftieth anniversary of the signing of the Universal Declaration of Human Rights. Since it was signed, over 60 human rights instruments have been adopted, which constitute an international standard of human rights. The variety of procedures for monitoring State compliance has also grown in scope and importance. Public awareness and support for human rights has grown considerably. Governments can no longer ignore human rights standards without facing international scrutiny and criticism. Human rights are truly universal and indivisible.

Nevertheless, it is a sad fact that grave violations of human rights and fundamental freedoms continue in many parts of the world. Let us therefore hope that this anniversary commemoration will strengthen the ability of our Organization to meet the challenges of the international human rights agenda and the demands of the international community for more effective action in this field.

In the ongoing struggle for human rights, it is important to strengthen the tools and mechanisms that are available to the international human rights system. Human rights experts and human rights defenders are of the view that the best way to secure the adherence of Governments to human rights treaties is to strengthen existing measures of implementation, in terms of both State reporting and petition procedures. A crucial element in this quest is to increase the capacity of the Secretariat to render needed support services to the treaty-monitoring bodies.

In strengthening the State reporting system, we should keep in mind the positive experience of active participation by non-governmental organizations in this work.

Special emphasis should also be placed on completing the drafting of optional protocols permitting petitioning under the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women, as well as an optional protocol to the Convention on the Rights of the Child aimed, *inter alia*, at preventing children under 18 years of age from being recruited as soldiers.

My Government welcomes the establishment of the International Criminal Court and emphasizes the importance of providing the Court with all the necessary means to carry out its mandate, thus giving the fight against crimes against humanity the status that it deserves and needs.

Allow me to recall the launching in 1995 of the Decade for Human Rights Education and to express the hope that its goals and objectives will be achieved. Public awareness of individual rights and responsibilities and public participation are perhaps the best guarantee for ensuring the observance of and respect for human rights in a free and democratic society. Effective human rights education available to all, young and old alike, is essential for this purpose.

**The Acting President** (*interpretation from Russian*): I now give the floor to the representative of Botswana.

**Mr. Legwaila** (Botswana): The adoption of the Universal Declaration of Human Rights 50 years ago today was a milestone in the annals of human history. Sovereign States agreed to be bound by a common standard of human rights. That was in itself a feat of no mean consequence. The national interests and political orientation of the key international players of the day were not mutually supportive. Mutual suspicions between the East and the West persisted, as the cold war would later demonstrate. And the colonial masters were not comfortable with the new international political dispensation vis-à-vis their far-flung empires. Yet the Declaration was born precisely at that time. This was a momentous achievement.

The Universal Declaration derives its legal force and moral authority directly from the Charter of the United Nations. Article 1, paragraph 3 of the Charter reads in part,

> "and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

Is it any wonder, then, that the Universal Declaration of Human Rights is sometimes credited, and rightly so, with contributing immensely to the emancipation of colonial countries and peoples, which today comprise the majority of the membership of the United Nations? Colonialism was simply an impediment to the enjoyment of basic human rights.

There is no denying that considerable progress has been made in the field of human rights since 10 December 1948, when the Universal Declaration was adopted. Human rights issues have become a permanent feature of the agenda of every session of the General Assembly. The Commission on Human Rights is doing a commendable job, without fear or favour. There is today growing acceptance, albeit grudging by some, that the protection of and respect for human rights is indeed universal and indivisible and that it cuts across civilizations and cultures. Gross human rights violations anywhere and everywhere today become the immediate and unabashed concern of everyone and receive the opprobrium of everybody, without fear of being accused of interfering in the internal affairs of States.

The number of human rights legal instruments and organizations at the national, regional and subregional levels has increased drastically since the Universal Declaration was adopted, which is a clear manifestation of the commitment of the international community to the promotion of greater observance and enjoyment of human rights throughout the world. Human rights activists, which we are increasingly all becoming, are the most daring and bravest people one can come across on Earth.

National constitutions in most countries now have not only a bill of rights, but also human rights safeguards. In the absence of an international legal machinery, the Security Council was forced to institute ad hoc Tribunals to try the perpetrators of genocide and to oppose impunity in the former Yugoslavia and Rwanda, and it triggered the establishment of a permanent International Criminal Court to bring sponsors and supporters of similar crimes to justice. It is hoped that the International Criminal Court will soon become another key player in the struggle for the promotion of respect for human rights.

Lastly and by no means least, the establishment of the post of United Nations High Commissioner for Human Rights was the pinnacle of the struggle for the promotion and protection of human rights. The amount of vital and commendable work that the High Commissioner has already carried out — in monitoring the situations of human rights in democracies in transition, as well as in human rights education and public information and in promoting human rights through dialogue with the Member States concerned — bears testimony that the creation of the post was long overdue. We salute the High Commissioner, Mrs. Mary Robinson, for a job well done. We encourage her to continue the good work.

As the Universal Declaration of Human Rights commences another 50-year journey into the next millennium, let us redouble our efforts and make the system of international human rights instruments more effective. Enough progress has been registered, and the scales are increasingly tipped in favour of the greater protection of and respect for human rights. We should now forge ahead with vigour and even greater effort, until the tenets of the Declaration are truly universal and the world is rid of the demons that guided the perpetrators of genocide and other crimes against humanity in Bosnia, Cambodia, Rwanda, apartheid South Africa and wherever tyranny and totalitarianism have reared their ugly heads in the past 50 years. It is time the international community said "never again" to these horrendous crimes and their perpetrators.

As for my delegation, I can assure the Assembly of our unflinching commitment to the promotion and protection of human rights and fundamental freedoms as the basis for peace, security and prosperity in our country.

**The Acting President** (*interpretation from Russian*): The Secretariat has just informed the Chair that Ms. Astrid Heiberg, President of the International Federation of Red Cross and Red Crescent Societies, who was to have been the first of the observers to speak, cannot speak in her assigned place during the evening meeting because of urgent, unforeseen circumstances outside New York.

May I take it that the Assembly agrees to hear Ms. Astrid Heiberg at the end of this afternoon's meeting?

*It was so decided.*

**Mr. Hachani** (Tunisia) (*interpretation from Arabic*): Tunisia associates itself with the international community in commemorating of the fiftieth anniversary of the Universal Declaration of Human Rights and underscores the role played by the United Nations to promote human rights. My country has contributed to the elaboration of the United Nations approach in this regard. It has also worked for the implementation of the universal values agreed upon, as well as for the principle of the comprehensiveness and interdependence of these rights. It welcomes in this respect the adoption by the General Assembly of the Declaration of human rights defenders after 13 years of negotiations.

The democratic options that Mr. Zine El Abidine Ben Ali, President of the Republic, has established in Tunisia — an approach based on the protection and promotion of human rights and the dissemination of the culture of human rights — represents a fundamental and an irreversible choice. It stems from a strong belief that human beings cannot be full citizens unless they fully enjoy their dignity and all their rights in the framework of a safe and stable society and of global sustainable development.

During the past 11 years Tunisia has undertaken many far-reaching reforms in different fields. These include the amendment of the Constitution with a view to the consolidation of political pluralism; opening the way for the participation of political parties and enhancing freedom of opinion and other freedoms; the abolition of emergency courts and forced labour; the regulation of pre-trial incommunicado detention and preventive detention; bringing legislation into line with international human rights treaties and conventions, which Tunisia has been among the first countries to ratify; the strengthening of the freedom of women and their equality with men; the promulgation of a special code for the rights of children and a law for the protection of the elderly; and the protection of the handicapped and other special categories of people. All these reforms have given concrete form to Tunisia's vision of the comprehensive character of human rights and the inseparable and complementary links between all its dimensions. They have given form to its belief in the universality of the principles and values of human rights. Human rights culture has become an integral part of the programmes of our educational system at all levels.

In its economic, social and cultural policy, our country has pursued an integrated strategy aimed at the promotion of man in all fields. Convinced that human rights cannot be fully achieved without ensuring a dignified life for all categories of society, combating poverty, promoting job opportunities and consolidating the values of solidarity in society so as to protect it from the dangers of poverty and marginalization, our country has set up a national strategy for the eradication of poverty. This strategy has made it possible to reduce the poverty rate from 11 per cent in the mid-1980s to 6 per cent now.

We have created a national solidarity fund that collects voluntary contributions from individuals and enterprises in order to develop remote areas and those lacking the basic conditions for life and that do not meet the conventional feasibility criteria for economic development programmes. This fund has been reinforced by a national solidarity bank that provides financing for small projects carried out by artisans, skilled workers and young people who wish to create their own businesses. The national solidarity fund is the most important pillar of our strategy. It has allowed the integration into the economic cycle of many people from those needy categories and the financing of many small and medium-sized projects for low-income categories.

I would like in conclusion to stress that the choice made by my country stems from the deep-rooted civilizational and cultural values of Tunisian society — values maintained within the framework of a constant evolution that has allowed for the consolidation of human rights in all their dimensions, the realization of pluralism on the ground, the promotion of liberties and the consolidation of civil society. In this approach we have taken into account our society's specific character, without undermining the principle of universality and our belief in it. No one in this world can pretend to be perfect in this field or impose one set model on all peoples. Nor can anyone claim the right to give lessons to others.

We would like on this occasion to emphasize the great importance that should be accorded to the right of peoples to development and to the elimination of all obstacles to the effective exercise of that right. The international community should therefore work seriously for the consolidation of the values of tolerance among and inside States so as to eradicate the practices of extremism and terrorism in all their forms and to prevent the threats of conflicts, exclusion and marginalization, for the sake of all humanity's future, its progress, security and stability.

**The Acting President** (*interpretation from Russian*): I now call on the representative of Mongolia.

**Mr. Enkhsaikhan** (Mongolia): Today the world is solemnly commemorating the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights, which has set new, unprecedented high standards for protecting human rights and dignity. Since the Declaration's adoption in 1948, those standards have been strengthened and developed by numerous treaties and conventions. Some of the human rights standards are becoming truly universal. Besides standard-setting, the very approach to human rights issues is changing: from proclamation of the basic rights and freedoms to elaboration of legally binding norms and their incorporation in national legislation; from introduction of reporting procedures to monitoring compliance; from condemnation to prevention.

The 1993 World Conference on Human Rights was another milestone in further promoting and expanding the ideals and provisions of the Universal Declaration. Thus, the universality of human rights has been widely recognized.

The comprehensive approach to the interrelationship between human rights, democracy and development, as well as recognition of the indivisibility of all human rights and the need to respect and implement them on an equal footing, are other major contributions of the World Conference.

We all are proud of these achievements. At the same time, we should not forget that today 1.5 billion people live in abject poverty; they cannot meet basic human needs. Political and civil rights are still being denied; repression and oppression — even torture — are far from being eradicated. Lately the world has become alarmed by rising intolerance, genocide, xenophobia, terrorism, extremism, aggressive nationalism and denial of the right to freedom of opinion and expression. Therefore, much more still remains to be done.

We may recall that 50 years ago, two complementary, commanding and truly revolutionary ideas were before the General Assembly: the adoption of the Universal Declaration on Human Rights and the establishment of an international criminal court. For half a century, the latter had not been materialized. Numerous attempts to create the court were without success. But the ideal lived on. This year the world made a major, in fact a historic, breakthrough in Rome.

The establishment of the International Criminal Court must be regarded as the ultimate fulfilment of the Universal Declaration. It supplies the long-sought missing link: prosecution and punishment for gross violations. Furthermore, in some cases, the Rome Statute extends even further. Thus, an accused person will have all the human rights protection needed to ensure due process, a fair trial and appropriate punishment. All these guarantees are to ensure that only real and substantive violations will be brought before and tried by the Court. In this respect, it could be said that the Rome Statute complements the Universal Declaration.

The Mongolian Constitution of 1992 was drawn up with the active participation of the people themselves and their duly elected representatives in the Parliament. It is based on progressive ideals and existing international standards. Since 1990 Mongolia has been pursuing democratic reforms simultaneously in the political and economic spheres. The people have been exercising their right to choose their head of State and representatives in the Parliament. They are exercising all other political and civil rights and freedoms as well. The Constitution also guarantees the exercise of economic, social and cultural rights.

However, due to economic realities, while Mongolia's economy is in transition to a market economy, with all the attendant difficulties, the overwhelming majority of the population cannot fully enjoy these rights and freedoms. In fact, the living standard of a sizeable portion of the population has fallen, while poverty and unemployment have increased. The vulnerable groups of society — children, women and the elderly — are suffering the most. In order to overcome all these and other difficulties, the Government is mobilizing all resources and possibilities and is implementing different programmes and projects. We are certain that in due course Mongolia will be able to overcome these difficulties.

Human rights are universal, indivisible and interdependent. Therefore, let us enter the new millennium with a redoubled commitment to ensure these rights and freedoms for all.

**The Acting President** (*interpretation from Russian*): I call on the representative of Singapore.

**Mr. Mahbubani** (Singapore): The Universal Declaration of Human Rights is clearly a landmark development in the history of man. On this there can be no doubt. It is remarkable that it took humankind several thousand years after the origins of human society to agree on a simple truth: "All human beings are born free and equal in dignity and rights." (*Universal Declaration of Human Rights, article 1*).

Even if it may have come a few thousand years late, it represents a significant leap forward from where humankind used to be, when fellow human beings were routinely used as slaves, serfs, conquered or colonial subjects and often beaten or tortured like animals. Such behaviour is no longer legally acceptable, even though it continues to persist informally. The Universal Declaration is therefore the cornerstone for the discourse on human rights standards around the world today.

Despite these significant achievements, however, we, the inheritors of this Declaration, cannot shy away from asking difficult or uncomfortable questions. Does the Declaration represent the peak of human achievement or a significant plateau upon which to build? Can a Declaration written in the peculiar historical environment of the post-Second World War period remain the last word on human ideals as human societies and civilizations change and evolve?

These are not easy questions. However, documents, like human beings, languish when their lovers are uncritical or their critics are unloving. They thrive when they are subject to scrutiny by loving critics. This is our mission in our remarks today.

First, the Universal Declaration is not a perfect document. No human document is. Eleanor Roosevelt said,

> "Naturally, it is not a perfect document ... Being, as it must be, a composite document to meet the thoughts of so many different peoples, there must be a considerable number of compromises." (*An Analysis of Human Rights Principles, as Defined by the United Nations Universal Declaration of Human Rights, in United States Constitutions: Implications for Social Policy, by Joseph M. Wronka, p. 145*)

She was right. It took 85 sessions and 1,200 different votes to get the Declaration adopted.

Secondly, the pursuit of human rights is often a noble goal. But, from the very beginning, it has also been used as an instrument in political warfare. A thoughtful historian, describing the drafting of the Declaration, noted the following:

> "The extent of genuine concern for human rights is difficult to judge, but an important motive — in particular for the most powerful States — was the need to avoid criticism and, at the same time, to have an opportunity to criticize others. Human rights had become a weapon in the ideological warfare between the East and West led by the Great Powers." (*Human Rights as International Consensus, The Making of the Universal Declaration of Human Rights 1945-1948, by Ashild Sannoy, p. 52*)

The same historian said that one of the key Governments involved in the drafting had admitted that "it was a weapon of political warfare" (ibid., p. 53). In short, the drafters had both noble and ignoble motives. It is shocking to realize today that much of the Declaration was drafted then by major colonial Powers that saw no contradiction between colonial rule and human rights. Double standards were present in 1948. They continue to endure in 1998. Our key challenge today is to ensure that human rights are not used again as an instrument for political warfare. We should therefore commit ourselves to cooperation, and not confrontation or destructive finger-pointing.

Thirdly, the world has changed. So have humankind's needs and concerns. Emerging out of the brutal experience of fascism and totalitarianism, the drafters of the Universal Declaration were obsessed with limiting the impact of the State upon the individual. This was, is and will be a noble goal. But this led the drafters to speak only of the rights and not of the responsibilities of individuals. The word "responsibility" is not mentioned once in the Declaration, although the word "duties" is used once in article 29. The pursuit of "rights" over "responsibilities" has led, in some Western societies, to a culture of permissiveness and social problems which are viewed with some concern by more traditional societies. Each society has to find its right balance of rights and responsibilities. Indeed, the idea of responsibility underpins the major faiths and value systems of the world. The golden rule of many religions is "Do unto others as you would have them do unto you", and not "You have the right to demand of others that they treat you well".

Recognizing that there was an urgent need to balance rights with responsibilities, a group of senior global statesmen, including Helmut Schmidt, Malcom Fraser, Anand Panyarachun, Jimmy Carter — who won the United Nations Human Rights Prize today — and a few others have endorsed a draft universal declaration of human responsibilities. They recommended that it be discussed on this fiftieth anniversary. It is puzzling that we are not having such a discussion today. Is this by accident or by design? If by design, whose design, and why? To be honest, we ask these questions, because we are aware that there have been furtive manoeuvrings behind the scenes to prevent such a declaration from being discussed here today.

Fourthly and finally, in conclusion, to avoid any misunderstanding, let me reiterate once again that the Universal Declaration of Human Rights represents a great leap forward in the destiny of man. It has served as a source of guidance and inspiration to millions of people around the world, but we continue to live in a far from perfect world, with billions mired in poverty and even starvation, as many said in their speeches this morning. At best, less than one third of the world's population enjoys the rights we are celebrating today.

We have all heard of the fable of the child and the emperor's clothes. If this child were to walk into our room today and ask what we are celebrating, we would have to answer: We are celebrating the progress of human rights on our planet. He or she, this child, could then well ask: How can you celebrate when so few human beings on this planet enjoy these rights or have experienced any real improvement in their human condition since the Declaration was issued in 1948? How do we honestly answer the question of this child?

**The Acting President** (*interpretation from Russian*): I call on the Under-Secretary of Human Rights of the Ministry of Foreign Affairs, International Trade and Worship of the Argentine Republic.

**Ms. Lorenzo Alcalá** (Argentina) (*interpretation from Spanish*): We have gathered in this Assembly to commemorate one of the most important events in the history of humankind for the full respect of the human person. The Universal Declaration of Human Rights was the clearest and most forceful commitment of the universal conscience to ensuring that the ideologies of death, hatred and war were never again to reign among human beings. Our remembrance and sincere tribute go to those men and women who were able to embody in the letter and the spirit of this Declaration the purest aspirations of humankind.

We can assert that, in these 50 years, the defence of the dignity, respect and freedom of the individual has achieved momentum of a strength never seen in past centuries. This assertion is not contradicted by the equally evident fact that this process has been neither peaceful nor smooth. My country is a clear example of that. The 1970s were especially dark years in most of Latin America. Authoritarian regimes flouted respect of the individual with an unforgettable balance of pain and death.

The following decade, however, was brightened by the return of democracy and a growing respect for human rights in the continent. Today, all nations have recognized the Universal Declaration and most States Members of the United Nations have also signed the main international pacts and conventions on this matter. In this half-century, we have also enshrined the indivisibility and universality of human rights.

Respect for these rights is fundamental to achieving the two other main goals of our Organization: maintaining international peace and security and promoting economic and social development. Civil and political rights and economic, social and cultural rights are closely linked to one another and to development and democracy. That is why policies that hinder the promotion and protection of even one of those rights at the expense of the others cannot be justified.

That is our interpretation of the applicability of the right to development as a process that seeks sustained and progressive improvement of the well-being of the individual and of the group to which the individual belongs, together with the full exercise of his or her public freedoms. We share the opinion that the various historical, social and cultural realities must be respected, but we also assert that those national or regional particularities cannot justify policies that disregard the universally recognized inherent rights of the human person. We insist that individual States are primarily accountable for the protection of human rights within their borders. Hence, they are accountable before the international community when those obligations are not respected. Argentina was fully committed in its participation in the establishment of the International Criminal Court, the ultimate embodiment of the internationalization of human rights.

In spite of all the progress achieved, intolerance, racial discrimination, anti-Semitism, xenophobia, neo-Nazism, ethnic cleansing, armed conflicts among minorities, deep social differences and extreme poverty persist. Those harsh realities should keep us ready and willing to cooperate, through our Governments, the United Nations Secretariat and the High Commissioner for Human Rights, to ensure that the struggle against these anomalies and social injustices is not used as a pretext to set back progress on human rights.

I want to remind this Assembly that, through the constitutional reform of 1994, the Argentine people accorded the Universal Declaration of Human Rights, as well as the main international pacts and conventions on this matter, a higher status than that of its domestic legislation. We have adapted our laws to these main instruments. We have also followed the recommendations made by the treaty bodies, the Inter-American Commission on Human Rights and the 1993 Vienna Conference and in its Programme of Action, enacting protective policies to overcome old injustices and to compensate the victims of authoritarianism in the 1970s.

The Argentine Government has established two under-secretariats for human rights to elaborate and implement domestic and international policies on the subject. One, which I have the honour to head, is in the Ministry of Foreign Affairs, and the other in the Ministry of Internal Affairs, chaired by Mrs. Inés Pérez Suárez, who is here with us at this meeting and has developed an important programme in connection with this commemoration. The Argentine Parliament has also decided to participate in this historic event in the person of its national representative, Mr. Javier Mouriño. Our joint presence here is eloquent testimony to the commitment of the Government of Argentina to human rights.

Lastly, on behalf of the people and Government of my country, I would like to reiterate our acknowledgement to the men and women who, in these brief 50 years, have openly or anonymously ennobled the cause of human rights with their fight in defence of the rights of every man and woman in this world.

**The Acting President** (*interpretation from Russian*): I call on the National Secretary for Human Rights of Brazil.

**Mr. Gregori** (Brazil) (*interpretation from Spanish*): I have the honour, on behalf of the delegation of Brazil, to address the Assembly as Member States celebrate the fiftieth anniversary of the Universal Declaration of Human Rights. It is a particular pleasure for me to do so today, when the Organization has generously included me among the recipients of the United Nations Human Rights Prize. I am grateful in all humility. This is a tribute that goes beyond me personally and which I accept as a tribute to my country, its Government and civil society, for the courage, transparency and determination with which we in Brazil have embraced the cause of promoting human rights.

The Universal Declaration of Human Rights reaffirmed 50 years ago that freedom, justice and peace in the world are based on the recognition of the inherent dignity of the human person and of the equal and inalienable rights of every member of the human family. These rights are not a concession which States make to individuals. They are inherent attributes of the human condition and can therefore be neither denied nor abrogated. This occasion should inspire reflection on how the norms and principles of the Declaration have become a reality in the daily lives of the great majority of individuals.

Unfortunately, however, the ideals of peace, justice, freedom, equality and social equity are not yet the reality for everyone. The fundamental right to life remains threatened in many parts of the world. We frequently witness terrible massacres and genocide motivated by racial hatred and ethnic conflicts. And, as though that were not enough, the spectres of poverty, hunger and inadequate education, health and housing conditions are the sad daily realities of over half of the world's population.

Consolidation of the democratic process is vital to the exercise of citizenship in the promotion of human rights. States have the primary responsibility in this respect, but ongoing involvement with civil society is required in that task. International cooperation is another element of fundamental importance. No country can do without that cooperation, which preferably should be channelled through the United Nations.

Allow me to point out that under the leadership of President Fernando Henrique Cardoso, the Government of Brazil has given clear proof of its commitment to human rights. In this respect, the National Programme of Human Rights, adopted in May 1996, raised the promotion of human rights to a priority level in public policy administration. Civil society participated actively in defining the Programme, whose implementation is the responsibility of the National Secretariat for Human Rights, which I have the honour to head.

Another concrete example of that commitment has been the adoption of the law of the disappeared, in the drafting of which I am proud to have participated. That law recognized the State's responsibility and made possible financial reparations to the families of the persons disappeared during the regime of exception.

The process of human and social development can be interpreted as a gradual and progressive appropriation of human rights by the peoples. In this respect, we believe it would be useful for the United Nations to prepare a world report on the attainment of the three generations of all kinds of human rights in order to assist in the preparation of public development policies that are focused on the promotion of human rights. The preparation of that report could be a shared objective of the international community for the beginning of the twenty-first century.

Towards that end, it is my honour to propose that a preparatory meeting be held in Brazil with the participation of the High Commissioner, the member States of the Commission on Human Rights and representatives of civil society. We believe that this would constitute an effective step towards the universal attainment of human rights in the coming millennium.

**The Acting President** (*interpretation from Russian*): I thank the National Secretary for Human Rights of Brazil for his statement, and I now call on the representative of Croatia.

**Mr. Simonović** (Croatia): The Universal Declaration of Human Rights represents the living spirit of the United Nations that has brought us together today to commemorate, to assess and to indicate the priorities for future development in the field of human rights. To speak about 50 years of the Universal Declaration in less than five minutes is possible only by doing so together with more than 100 fellow speakers, each contributing an individual tune to the common symphony.

The Universal Declaration of Human Rights has demonstrated a great ability to unite the peoples of the world. It has been translated into more than 200 languages, bringing together different countries, cultures, religions and histories. What we are commemorating today is the fiftieth anniversary of our consensus on what human rights are as part of the universal human heritage.

During the past 50 years, the Universal Declaration has vividly shown that it was not merely a list of good wishes. Rather, it has proved to be a living document and programme of action that has inspired different nations, international and national organizations, non-governmental organizations and many individuals to fight for the recognition and protection of the human rights set out in the Declaration. Even though the language of the Declaration has not been altered, its operational significance has changed dramatically. The role of Governments, the scope of beneficiaries and the influence of human rights defenders have all evolved significantly from what they were half a century ago. Despite these positive developments, the ultimate goal of the Declaration, namely, "All human rights for all", is still far ahead of us.

Our session today is a unique opportunity to examine where we actually stand with regard to the implementation of the Declaration and universal protection of civil, political, economic, social and cultural rights, including the right to development. It is our task to assess the implementation of the Declaration, but we should also go further in following its spirit and the very logic of human rights protection.

As we have experienced in the work of the General Assembly this year, the right to development is still perceived as controversial. Indeed, efforts to secure its recognition through the adoption of resolutions are raising questions as to how the evolving human rights, for example rights in the area of the environment and human genetics, should be recognized. What we need is a consensus on a new human rights concept for the twenty-first century.

This year has brought some important successes in transforming human rights ideals into concrete international procedures for their enforcement. The trend to enhance the efficacy of international human rights protection has been demonstrated by the recent adoption of the Statute of the International Criminal Court. Another promising sign is the consensus reached in the adoption yesterday of the declaration on the rights of human rights defenders. However, the greatest responsibility for the protection of human rights remains with individual Governments.

The Constitution of the Republic of Croatia and the constitutional law on human rights were both inspired by the Universal Declaration of Human Rights, and the rights set forth in the Declaration are fully reflected in national legislation. In my country violations of human rights related to the armed aggression carried out against it demonstrate that we need strong and effective international preventive mechanisms and that the concept of international peace and security must include concerns for human rights.

As part of the post-conflict settlement, a task facing my Government is the development of further proactive strategies in favour of promotion of and respect for human rights. These include full implementation of programmes for reconciliation and confidence-building and the return of refugees and displaced persons. Perhaps, because of all these reasons, in Croatia special importance is being attached to the fiftieth anniversary, with numerous events being organized by the Government, civil society and non-governmental organizations, academia, students' groups and the general public.

Let me conclude. All of us here are not merely representatives of our Governments, but also representatives of the peoples of the world. The history of human rights is the history of the United Nations, and the future of human rights is the United Nations future, the future of our peoples and the future of humankind.

**The Acting President** (*interpretation from Russian*): I now call on the representative of Nigeria.

**Mr. Akunwafor** (Nigeria): Today's celebration is a momentous occasion, marking not only the fiftieth anniversary of the Universal Declaration of Human Rights but also the fifth anniversary of the adoption of the Vienna Declaration and Programme of Action at the World Conference on Human Rights. The Universal Declaration of Human Rights, which provides a prescription for mankind on individual rights and freedoms, is built on the fundamental principle of the inherent dignity and worth of the human person. This dignity and the rights to freedom and equality which derive therefrom are undeniable.

This occasion offers us the opportunity to make a sober reflection on the course and direction of human rights in all parts of the world, to assess the extent to which the Declaration has become a common standard of achievement for all peoples and nations, and to refocus attention on those rights and freedoms so essential to the maintenance of human dignity. We believe that the enjoyment of these rights is inalienable. They include civil and political as well as economic, social and cultural rights, the protection and advancement of the rights of women, children and minorities and, in general, the right to development. We hope that the opportunity will be utilized to promote the renewed spirit of shared responsibility, international cooperation and enhanced understanding while shunning the tendencies towards fault-finding, selectivity and partiality in the assessment of human rights situations within Member States.

It was refreshing and highly welcome, indeed, to note that in her report to the fifty-third session of the

General Assembly, the United Nations High Commissioner for Human Rights, Mrs. Mary Robinson, had drawn attention to the large-scale violation of economic, social and cultural rights. In the past, such reports had dealt mainly with civil and political rights. She appropriately referred to widespread poverty as the most disturbing development of our time, a situation the Vienna Declaration had equally described as constituting an obstacle to the enjoyment of human rights.

In the course of the last 50 years, human rights have become a legitimate issue in international relations. How a country treats its citizens is no longer a matter for its own exclusive determination, Article 2, paragraph 7, of the United Nations Charter notwithstanding. Others can and do express a claim to know and show their concern. The last 50 years, therefore, has witnessed an emerging global culture of human rights as well as a body of international law on human rights. However, there is the need for the international community to treat human rights globally in a fair and equal manner on the same footing, and with the same emphasis as stressed in the Vienna Programme of Action. This is due to the universality, individuality, interdependency and interrelationship of all human rights and fundamental freedoms for all without distinction.

As we approach the next millennium, the world is witnessing more social problems than solutions to the challenges of an increasingly interdependent world. The nature of many of today's conflicts is intra-State, often with devastating consequences for civilians, particularly women and children. These conflicts are sometimes fought by irregular armies and militias who pay little or no attention to international humanitarian laws, including the laws of war. This has engendered widespread violations of human rights in conflict situations. The most dramatic of these violations led to the establishment of the International Criminal Court. Thus at the dawn of a new millennium, and in spite of the advances in technology and human civilization, the international community is still grappling with situations that tend to bring out the worst in mankind.

Nigeria has acceded to and ratified all the core international human rights instruments, such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the International Convention on the Elimination of All Forms of Racial Discrimination. On 17 June 1996, Nigeria inaugurated the National Human Rights Commission to deal with all matters relating to the protection of human rights according to the Paris Principles, as recommended in the Vienna Programme of Action. I am convinced that these institutional mechanisms have the capacity to contribute to raising the living standards of Nigerians and their enjoyment of human rights in a larger sense.

**The Acting President** (*interpretation from Russian*): I now call on the representative of Cuba.

**Mr. Rodríguez Parrilla** (Cuba) (*interpretation from Spanish*): I should like to request that the full text of my statement be distributed, as it attempts to contribute to our thinking on this issue and contains a few proposals. I shall simply read a summary of it now.

Fifty years ago the General Assembly gathered to adopt, by a vote of 48 States in favour and 8 abstentions, a resolution that has become a source of inspiration and that laid the groundwork for progress in international cooperation in the field of human rights. Even with its many limitations, the Universal Declaration of Human Rights constituted an important step forward and an historic event. But it failed to meet the chief demands of the overwhelming majority of countries in the South: self-determination and development. No connection was established between rights and duties, either those of individuals or those of peoples. Human solidarity in particular was left unmentioned.

In a globalized world, the United Nations has the responsibility to prevent the impact of the economic crisis, which is threatening to become global, from falling mainly on the poor, the hungry, the sick, the illiterate, the women, the children and the elderly of the developing countries.

Even without the crisis, 12 million people starve to death every year; 12 million children under the age of five die every year from malnutrition and curable or preventable diseases; and 600 million people under the age of 40 will die this year. More than 1.3 billion people live below the poverty level, 841 million go hungry, 880 million lack medical care, 1.3 billion have no potable water, 2 billion have no electricity and 885 million are illiterate. A year from now, 95 per cent of those suffering from AIDS will be living in countries in the South.

In certain industrialized countries, taken together, 75 billion dollars are spent on pet food, cosmetics and cigarettes. Meanwhile, the entire developing world spends less than half of that on food, health and basic human education. The undeniable result is that in the 1990s we have seen a widening of the gaping abyss between rich and poor. The neo-liberal globalization that is being forced upon us goes hand-in-hand with poverty and social polarization. If we do not take action, economic, social and cultural rights will continue to be the invisible part of the United Nations human rights machinery and the right to development will prove to be illusory.

Since 1947, the adoption of the measures contained in, or of the implementation programme of, the International Bill of Human Rights has remained an outstanding matter. The Movement of Non-Aligned Countries recently expressed its conviction that the Declaration on the Right to Development, because it integrates all human rights and is oriented towards action, is the programmatic element missing International Bill of Human Rights. Cuba reaffirms the need to include the Declaration on the Right to Development in the International Bill of Human Rights.

If we wish to enhance the enjoyment of the human rights enshrined in the Universal Declaration, we must urgently undertake the drafting of a new international bill of human and people's rights. Strengthening the legislative groundwork for international cooperation on human rights cannot, however, replace the need for a new political will for dialogue and mutual respect between the countries of the North and the South. The principles of objectivity, impartiality and non-selectivity must be the foundations for concerted action to promote and protect human rights throughout the world.

Human solidarity is no longer just an altruistic choice; it has become a factor for the survival of humankind. Only respect for the principles of the Charter and recognition of the diversity that enriches us will enable us to move forward towards the full exercise of all human rights.

**The Acting President** (*interpretation from Russian*): I call on the Attorney General of Ecuador, His Excellency Mr. Ramón Jiménez Carbo.

**Mr. Jiménez Carbo** (Ecuador) (*interpretation from Spanish*): Fifty years ago, the community of nations established a new world organization which resolved to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and to promote social progress and better standards of life in larger freedom.

Shortly thereafter, the Universal Declaration of Human Rights was adopted — an action that we are solemnly recalling today. Yes, we are doing so solemnly; however, more importantly, we are doing so with resolve and with the genuine conviction on the part of the international community that this Declaration should be part of the real daily experience of countries throughout the world.

The Universal Declaration is today, at the dawn of the new millennium, more important and valid than ever before in the history of humankind, as it means — and will in the future mean — hope for innumerable human beings throughout the world. Today we are rightly paying tribute to those visionaries who, half a century ago, met together in the *Palais de Chaillot* and bequeathed to the world this Declaration, the source of all national and international legislation with regard to the protection of human rights. The fact that my country, Ecuador, participated actively in the small nucleus of States Members of the United Nations which at that time drafted the Universal Declaration is an enormous honour, and today we continue to work in an effective manner. In this context, yesterday we participated in the adoption by the General Assembly of the human rights defenders declaration.

I should like to underscore the fact that Ecuador is a country that is deeply committed to the defence and promotion of human rights, and we are present today in this historic meeting in order to reiterate our determination to work so that the ideals contained in the Universal Declaration may become a reality for all the men, women and children of this world. As evidence of its conviction, Ecuador has actively worked for human rights in world forums, particularly in the United Nations.

In this context, it is sufficient to recall the extraordinary work done in this very forum by our current Minister for Foreign Affairs, Ambassador José Ayala Lasso, who led the efforts to create the post of United Nations High Commissioner for Human Rights. To the honour of our country, Ambassador Ayala Lasso was appointed the first United Nations High Commissioner for Human Rights, and in the exercise of that office he laid the groundwork which enabled the Office of the High Commissioner to become an institution able to lead in a more effective and coordinated way the mechanisms for the defence and promotion of human rights within the United Nations system.

As evidence of the fact that Ecuador is resolved to make human rights a reality in the lives of its citizens, the national Government of Ecuador this year enacted, as a law of the Republic, the National Plan for Human Rights to protect and promote, within the country, civil, cultural, economic, political and social rights and the right to both personal and material development. The Plan also protects the rights of minorities and the most vulnerable groups in Ecuadorian society, including women, children, the elderly, the indigenous and Afro-Ecuadorian populations, sexual minorities and the disabled.

I wish to emphasize that the National Plan was prepared through a process of close cooperation between the national Government and civil society. A few days ago, from 17 to 23 October, a high-level mission from the Office of the United Nations High Commissioner for Human Rights visited Ecuador in order to provide advice with regard to the implementation of the National Plan, and gave high praise to both Ecuador and the Plan, as well as to the alliance between the Government and civil society that was established for the implementation of that plan in the Republic of Ecuador. On that occasion, I had the honour of welcoming in the Office of the Attorney General Mr. Brian Burdekin, Principal Adviser to the United Nations High Commissioner for Human Rights.

We pledge that through our efforts, and with the cooperation of organs such as the United Nations, a genuine culture of peace and of human rights will be promoted and will prosper in Ecuador.

On 2 October, here in the General Assembly, the Constitutional President of Ecuador, Mr. Jamil Mahuad, who is a dedicated defender of human rights and whom it is my honour to represent here today, affirmed that the best way of commemorating the fiftieth anniversary of the Universal Declaration of Human Rights would be for Ecuador and Peru to sign a peace agreement in 1998, as we did at Brasilia in October of this year, an event which will certainly promote the development of the quality of life of the people of both nations. These were visionary aspirations of President Mahuad, the country's first chief executive in recent years to have truly committed himself to the cause of human rights. This signing of the peace agreement by two fraternal peoples, Ecuador and Peru, who have continued a territorial dispute for over a century and a half and fought a number of conflicts, has strengthened the opening words of the Universal Declaration of Human Rights which state that:

> "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".

I would like to end by recalling some of the words of the Declaration of Independence of the United States of America:

(*spoke in English*)

"We the people of the United States", and it continues, believe "all men are created equal".

I should also like to pay tribute to some of the personalities who in this country gave their lives in the defence of human and civil rights — Abraham Lincoln, Martin Luther King and John Fitzgerald Kennedy.

**The Acting President** (*interpretation from Russian*): I thank the Attorney General of Ecuador.

I would recall the decision by the General Assembly that statements are to be limited to five minutes.

I give the floor to the representative of Chile.

**Mr. Larraín** (Chile) (*interpretation from Spanish*): The celebration of the fiftieth anniversary of the Universal Declaration of Human Rights is particularly significant to the people of Chile. It is not a question of mere rhetoric or declaratory statements. For various reasons, Chile and its people are particularly happy to be commemorating this event.

In the first place, Chile was linked to the Declaration from the very beginning, when the then representative of Chile, Ambassador Hernán Santa Cruz, was a member of the group of international personalities who wrote the Declaration. This was at a time when the world was just beginning to fully understand the scope of the devastation caused by the war and the horrors of the holocaust.

Although some visionary people thought that the human race had learned its lesson and that the document being written would avoid further suffering, my country, Chile, unfortunately understood how fragile this idea of respect for the human person is when our hundred-year-old democracy was disrupted. It was in those difficult circumstances in our life as a nation that the Universal Declaration of Human Rights became even more important to the people of Chile because it offered some direction, a constant guide for those who believe that dignity and respect for the human being cannot be trampled on under any circumstances or under any pretext.

For Chile the universality of human rights means that we have to recognize the dignity of all inhabitants of the earth regardless of their culture, religion, social status, ethnic origin or traditions and regardless of the level of development or the cultural particularities that can be used to justify limits on human rights recognized in the Declaration whose fiftieth anniversary we are celebrating today.

This special occasion should enable the international community to intensify its efforts to make the principles contained in the Declaration something real and tangible for all people. Much has been accomplished since 1948, but much more remains to be done, for unfortunately there are still millions of human beings whose rights are being violated every day.

The next challenge is the prompt entry into force of the Statute of the International Criminal Court, which was approved in Rome in July this year. It would indeed represent a successful outcome of this commemoration if it were to end with the widespread conviction in the international community that initiating the process of ratification of the Statute should begin so that the Court can start functioning as soon as possible.

On this solemn occasion, my country reiterates its firm commitment to full respect for human rights in Chile as well as its decision to continue contributing to the valuable work being done to promote and protect human rights in all corners of the earth. The Universal Declaration of Human Rights will continue to play the leading role in this task.

**The Acting President** (*interpretation from Russian*): I now call on His Excellency Mr. Sukhumbhand Paribatra, Deputy Minister for Foreign Affairs of Thailand.

**Mr. Paribatra** (Thailand): It is a great honour and pleasure to be here today and to represent my country in this historic gathering, which is held, not only to commemorate the fiftieth anniversary of the Universal Declaration of Human Rights, but also to reaffirm our common faith in, and our commitment to, the truth and wisdom contained therein.

Over the past half a century, a great deal has been accomplished in the promotion and protection of human rights. But much remains to be done. There are still widespread violations of human rights. Millions of people continue to be subjected to discrimination, persecution and suppression. In many parts of the world, civil society needs to be strengthened so that it can assist the State in the task of promoting and protecting human rights.

The time for debating whether each civilization, each culture, each religion, each race should have the right to define its own concept of human rights is over. Action, not more argument, is needed. All of us in the international community need to pool our knowledge and wisdom, our experiences and insights, so that a truly effective global partnership for human rights can be established.

Thailand stands ready to play its part in the forging of this global partnership. Thailand is honoured to have joined other members in sponsoring the resolution containing the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. In addition, we are in the process of becoming a party to the International Covenant on Economic, Social and Cultural Rights.

The delegation of Thailand is proud to say that the promotion and protection of human rights is now a matter of the highest priority for our country. Last year, a new Constitution was promulgated. It is the most progressive and comprehensive in our history. It not only serves to strengthen democracy and the fundamentals of good governance, but also contains provisions for guaranteeing the dignity of the individual and the rights of the people. A national commission on human rights is in the process of being established. It will be assisted in the discharge of its responsibilities by parliamentary ombudsmen and an administrative court, as well as by a national committee to formulate policy and an action plan on human rights. Since the promulgation of the new Constitution, a number of laws have been passed or are being considered by Parliament which offer more extensive rights and freedom to the poor and the underprivileged. These include the protection of labour in accordance with the main principles and guidelines of the International Labour Organization. This year, the Royal Thai Government has also organized activities to commemorate the fiftieth anniversary of the Universal

Declaration of Human Rights. These include an international seminar on human rights and business ethics.

For the first time, human rights have been included as an integral part of our foreign policy. In his policy statement before Parliament in November 1997, Prime Minister Chuan Leekpai pledged that Thailand would play an active role in the promotion and protection of human rights in the international arena. Thailand is not a giant among nations. Moreover, we are faced with a severe financial crisis and an economic downturn. With all too little in the way of resources, our aspiration to be a good global citizen is subjected to many constraints. But we intend to make a meaningful contribution to the cause of human rights. We intend to participate actively in such forums as the United Nations. We intend to join other members of the international community in activities related to the promotion and protection of human rights. We intend to continue to be engaged in humanitarian causes, such as demining and providing temporary shelter for displaced persons.

We intend to support the establishment of a human rights mechanism within the Association of South-East Asian Nations. And in our own way, as best we can, we intend to encourage our friends near and far to bring about positive changes in their outlooks and policies.

We Thais are not crusaders by nature or inclination. We do not indulge in excesses of idealism. We see efforts to promote and to protect human rights not as a crusade or as the fulfilment of ideals, but as a global imperative based upon sober realities. The progress of humanity must be a total process. Advancement in material well-being is ultimately meaningless if there are no guarantees of rights and freedoms for individuals both to enjoy that material well-being and to seek ways and means of enhancing their own potential as human beings. Development and human rights are two sides of the same coin. Efforts to promote economic development must be accompanied by the promotion and protection of human rights.

With firm belief in this global imperative, on this occasion the Royal Thai Government would like once more to pledge its commitment to the truth and wisdom enshrined in the Universal Declaration of Human Rights.

**The Acting President** (*interpretation from Russian*): I call next on the representative of Colombia.

**Mr. Valdivieso** (Colombia) (*interpretation from Spanish*): My country joins in commemorating the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights, stating its great pleasure at today's events. We warmly congratulate the distinguished citizens of the world who were recognized this morning for their contribution to the cause of human rights.

Colombia feels honoured to have participated in the session of the General Assembly, held at Paris in 1948, at which the Universal Declaration of Human Rights was adopted. The intention of the members of the Assembly was to close the bitter chapter of a war that had brought misery to a large part of humanity and to lay the foundations of a universal civilization in which respect for human rights might prevail.

Five decades later the international community is wholly convinced that respect for human rights lies at the core of the proper functioning of society and of harmonious coexistence among its members. Thus, every effort to guarantee the full exercise of human rights, civil and political as well as economic and cultural, contributes to world peace. And likewise, the elimination of conflicts, be they internal or external, would foster respect for those rights.

Allow me to turn to my own country and reiterate the unswerving commitment of the Administration of President Andrés Pastrana to ensure the full enjoyment of human rights in Colombia. In view of the importance we attach to that commitment, coordination of this matter been directly entrusted to the Vice-President of the Republic. On this very day, the main elements of our national policy have been announced in our capital.

At the same time, the Government of Colombia, wishing to highlight the significance of this commemoration and of international cooperation for human rights, signed a few hours ago the Statute of the International Criminal Court. This associates our country with an initiative of worldwide interest. The Government will promote in Congress debate on a bill leading to ratification of the Statute, and will support constitutional and legislative reforms needed to bring this international mechanism into full operation in Colombia.

Colombia is aware of the challenges it faces in granting its citizens the full exercise of their human rights. To eliminate the violence caused by armed groups is one of the most pressing issues. For that reason, we condemn the use of mines having indiscriminate effects by non-State actors in the ongoing internal conflict, and we insist again that this practice, which violates the rights of the civilian population, be strongly condemned by the international community.

My Government is aware of the problem of impunity, and it will press on with investigations of human rights violations through a special organ that will comprise the offices of the Vice-President, the Minister of the Interior, the Attorney-General and the Prosecutor-General.

In accordance with Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, which the General Assembly adopted yesterday, we will strengthen existing guarantees for the exercise by human rights defenders of their activities in Colombia, and will pursue to its conclusion the investigation of the deaths of a number of human rights defenders in our country. Several indictments and orders of detention have already been issued against persons implicated in these criminal acts.

International cooperation is extremely important in carrying out these endeavours. Colombia hopes that representation of the United Nations High Commissioner for Human Rights will continue and be strengthened in our country. We would also like broader support for programmes to care for the victims of internal displacement. We have also requested congressional approval for Protocol II, on landmines, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and for the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

To conclude, I would like to reiterate that my country will continue to participate in the dialogue being carried out by the international community in the various forums of the United Nations — particularly at the Commission on Human Rights, of which we will be a member beginning next March — in order to put into practice the exercise of human rights in the world.

Through our desires and actions we aspire to build the universal civilization based on respect for human rights proposed by the General Assembly in 1948, and we want to contribute our efforts to ensuring that future generations of human beings can live in peace.

**The Acting President** (*interpretation from Russian*): I now call on the representative of Peru.

**Mr. Guillén** (Peru) (*interpretation from Spanish*): It is an honour for me to address the General Assembly on the occasion of this commemoration, which is so special for both for the United Nations and for the international system as a whole. Fifty years ago in the General Assembly, on a day just like today, we the Member States of the Organization adopted the Universal Declaration of Human Rights, which has became the cornerstone of a set of common standards and values that are applicable to all peoples and nations.

With the adoption of the Universal Declaration of Human Rights in 1948, most of our countries envisioned that a new era had dawned, entailing the clear need to make the human person the be-all and end-all of society and State. In this way, the traditional polarization between human rights and national sovereignty, and between individual freedom and the common weal, began to evolve quickly and constructively. On the one hand, we witnessed the creation of new jurisdictional mechanisms at the international level, and on the other hand we began to define political and civil rights and to distinguish them from economic, social and cultural rights. Strictly speaking, both categories are individual rights, but in one instance the State has a certain duty as guarantor and an obligation not to act, in order to avoid interfering with the free exercise of rights. In the other instance, in addition to its role as guarantor, the State has an obligation to act, in order to create the conditions necessary for peoples to exercise their rights.

As a direct result of the Declaration, in the last five decades there has developed a system of protection that is jurisdictional and non-jurisdictional, legal and political, multilateral and bilateral. That system serves to make human rights, to a greater or lesser extent, an essential aspect of relations between States and individuals, and this is unprecedented in history. Following the adoption of the Declaration, the United Nations drew up, among other instruments, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention for the Suppression and Punishment of the Crime of Apartheid, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Prevention and Punishment of the Crime of Genocide and the Convention on the Elimination of All Forms of Discrimination against Women.

In the context of the overall trend in the contemporary international system with regard to the concept of the relationship between the individual and society, the 1993 Vienna World Conference on Human Rights was convened as an effort by all the actors of the system to inscribe the issue of human rights as a priority on the international agenda and to make progress in the search for common objectives that would further expand its development. Because of their importance and far-reaching effects, special attention should be given in future debates to the process of developing new legal principles to overcome poverty and destitution, restore the value of the dignity of the human being, actually make it possible for people to achieve freedom and give real effect to the declarations. The right to development is emerging very clearly within this framework as a kind of catalyst between minimalist and maximalist positions and between mainstream and unorthodox approaches that, in any event, reflect a debate that is taking place between civil and political societies with different kinds of institutional and representative constituencies, such as those of the developed and developing countries.

We can say with absolute conviction today that the Universal Declaration has played a far-reaching role since 1948 in the emergence of these new legal principles, bringing about a corpus of positive law that is still evolving but that is nevertheless substantive. The task, the challenge now before us all, societies and individuals, is to be open enough to allow for a certain homogeneity to emerge among States that makes possible the continued exploration and creation of the necessary conditions for a greater normative development of human rights that will eventually endow them with a more effective system of safeguards at both the jurisdictional and non-jurisdictional level. The effort must not be reduced to mere mechanisms that are limited to condemning violations of human rights. The real objective is to curtail the conditions of material inequality that prevent individuals from fully exercising their human rights in their respective societies.

Peru, as a founding Member of the United Nations, participated actively in the drafting of the Universal Declaration. In commemorating its fiftieth anniversary today, we continue to work to apply its principles and to incorporate its provisions into our legislation, while also disseminating information and educating people about human rights. The defence, promotion, protection and development of human rights is a priority and a responsibility for Peruvians. It is for this reason that we defend principles of the universality, indivisibility, comprehensiveness and non-discriminatory application of human rights.

The concept of sustainable human development drives the national policy on human rights in Peru and is an integral part of our multidimensional and comprehensive policy that revalues individuals and human life while linking them to their own environment. In this respect, we have come to understand that the participation of civil society, particularly in the promotion of human rights, gives significant support to the development of human rights. Therefore, in accordance with the new dynamic of quasi-jurisdictional protection, we have established and codified the office of the ombudsman. We have also deemed it appropriate to establish a Ministry for the promotion of women and human development, so that we can truly attend to the most vulnerable sectors of our society, such as children, the elderly, the disabled, women and indigenous peoples.

With regard to international procedures and mechanisms to monitor human rights situations, Peru's actions are based on transparency, dialogue and cooperation as the fundamental principles to promote real protection for the human being as the very essence of respect for human rights. Thus, if we are to have a common and shared vision on this issue, it will depend precisely on our having a complete understanding of the realities of States.

To abide by principles of human rights is to abide by treaties, and abiding by treaties has been the cornerstone of Peru's foreign policy. Peru is pleased that after 56 years we now have completed, signed and ratified a treaty with brotherly countries. This was the focus and the essence of the Rio de Janeiro presidential paper. The General Assembly will be receiving documents informing it about this event.

While the Universal Declaration of Human Rights has provided the basis for human rights, the universal scope that the United Nations has attained makes it the natural forum to develop and secure further the standards and values that we must use in order to confer dignity upon the human being. The main responsibility of States is ultimately to reconcile political wills to allow real achievements to be made in the area of the essential rights of the human being.

**The Acting President** (*interpretation from Russian*): I now call on the representative of China.

**Mr. Qin Huasun** (China) (*interpretation from Chinese*): The Universal Declaration of Human Rights was adopted shortly after the end of the Second World War, and it is a matter of significance that we are solemnly commemorating today the fiftieth anniversary of the Declaration. The Declaration was the first international instrument to spell out systematically the idea of respect for and the protection of human rights. It demonstrated the ardent desire of the world's people to eliminate war, maintain peace, achieve development and protect human rights. Over the past half century since the adoption of the Declaration, peace has been restored on the ruins of the Second World War and nearly 100 nations have attained national independence by breaking free of colonialist shackles. Without exaggeration this can be considered the greatest achievement of the global cause of human rights. After the Universal Declaration, the United Nations drew up the Declaration on the Right to Development, and the rights of women, children and the disabled have also been universally recognized. The concept of human rights therefore covers a much wider range of areas.

China values highly the positive role of international human rights instruments in promoting and protecting human rights. China has acceded to 17 international covenants in the field of human rights and signed the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. China has all along attached importance to its cooperation with the Organization in the field of human rights. During the visit to China last September by Mrs. Robinson, the United Nations High Commissioner for Human Rights, the two sides reached wide-ranging consensus on further developing and enhancing their exchanges and cooperation and signed a memorandum of intent for the development of this cooperation.

China is a developing country with a population of 1.2 billion. We know all too well the crucial importance of the right to existence and the right to development. Through efforts of several decades, China has now basically solved the problem of providing adequate food and clothing to its population, which accounts for one fifth of the world's total, and the Chinese people's livelihood has greatly improved. This is a major contribution both to China and to the global cause of human rights. As a country governed by the rule of law, China attaches equal importance to the individual rights of its people. It respects and protects civil and political rights and opposes activities that violate the legitimate rights of its people.

Today, as humanity is about to enter the twenty-first century, the world is far from tranquil, and war and poverty still persist. The realization of the enjoyment of human rights is faced with numerous difficulties and obstacles. How to overcome these difficulties and obstacles is a major concern of the international community. The Chinese Government believes that war is the grossest violation of human rights and fundamental freedoms, while peace is the prerequisite for the promotion and protection of human rights. Poverty is the main impediment to the realization of human rights, while development constitutes the basis for the promotion and protection of human rights. To survive and develop are the most basic needs and the essential human rights of human beings. One of the most significant aspects of the Declaration is its recognition of economic, social and cultural rights and of the interdependence and connectedness of all human rights. The international community should settle the differences and disputes among nations through peaceful means on the basis of the Charter of the United Nations, without resorting to the use of force or the threat of its use. The international community should take concrete steps to establish a fair and just new international political and economic order with a view to helping developing countries overcome the obstacles to their economic development and creating the necessary external environment for the realization of human rights, including the right to development.

The 50 years since the adoption of the Declaration provides us with experience and lessons in the development of the cause of human rights. We believe that, however diverse the existing cultural traditions in the world may be, they have at least one positive element in common: respect for human rights. Like anything else in the world, human rights are also in a gradually advancing process of change and development. Respecting, absorbing and carrying on the civilizations of all countries in the world will help enrich and enhance the concept of human rights and contribute to the healthy development of the global cause of human rights in all its aspects. The Chinese Government maintains that to jointly promote the healthy development of human rights, countries should have more exchanges, enhance understanding, enlarge common ground and narrow differences on the basis of equality and mutual respect. Dialogue and cooperation should take the place of confrontation and conflict. The Chinese Government is willing to join hands with other countries to promote the development of the cause of human rights and to bring a peaceful, secure, stable and prosperous world into the twenty-first century.

**Mr. Gorita** (Romania): My country fully subscribed to the statement delivered by the Austrian delegation on behalf of the European Union. Therefore, I will focus on some specific aspects.

Respect for human rights is a cornerstone of the United Nations that has guided the Organization's activities ever since its foundation. At the same time, the belief in fundamental freedoms has become, in the late twentieth century, one of the moral visions inspiring peoples and nations throughout the world.

The commemoration this year of the fiftieth anniversary of the Universal Declaration of Human Rights has provided major opportunities to assess the progress achieved so far, as well as the remaining difficulties and new challenges in the promotion and protection of human rights. It has also been a good occasion for setting the agenda of human rights worldwide as we move into the third millennium.

Proclaimed by the General Assembly, on 10 December 1948, as a "common standard of achievement for all peoples and all nations", the Universal Declaration of Human Rights has been further completed and defined by important human rights conventions and declarations. Its basic principles and orientations — stemming from the major assumption that, as the Preamble states, "the inherent dignity … of all members of the human family is the foundation of freedom, justice and peace in the world" — have been incorporated into the national laws of countries of all cultural traditions from all over the world.

It is worth highlighting, in this context, the importance of the Vienna World Conference on Human Rights, which broke new ground in the consolidation of international human rights standards and machinery and placed human rights in the framework of development and democracy.

The theme of the fiftieth anniversary — "All Human Rights for All" — fully reflects the major principles of the universality, indivisibility and interrelationship of all human rights and highlights the fact that civil, political, cultural, economic and social rights should be addressed in their totality. It also emphasizes that, while Governments bear the primary responsibility in the promotion and protection of human rights, this goal cannot be attained without the valuable contribution of all actors of civil society, of all individuals and groups who have dedicated their lives to human rights.

Therefore, we welcome the adoption, in this International Year of Human Rights, of the Declaration on the Tight and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. This important accomplishment has been naturally completed today by the awarding of the United Nations human rights prizes.

My delegation appreciates the steady attention Secretary-General Kofi Annan has given to respect for human rights in the reform process of the Organization by placing it among the priority objectives of the United Nations.

At the same time, we commend the remarkable work of the Office of the United Nations High Commissioner for Human Rights, accomplished under the guidance of the two prominent personalities who have so far assumed this function — Mr. José Ayala Lasso and Mrs. Mary Robinson — in strengthening the United Nations human rights programme and facilitating a rights-based approach throughout the United Nations system. Noteworthy are the important steps taken in strengthening the United Nations human rights machinery and ensuring a balanced treatment of all human rights, including through an increased interest in the right to development and the issues of gender equality.

The promotion and protection of human rights have acquired particular significance for Romania in the context of the democratic transformation it has undergone since 1989. My country adhered to all major international human rights instruments and committed itself, with all openness, to the international reporting procedures. Moreover, it adhered to the European Convention on Human Rights and to other important conventions of the Council of Europe setting the highest standards in the matter.

Constant steps have been taken for bettering and updating the national legal and institutional framework, in accordance with the requirements of the rule of law, political pluralism and respect for human rights. For example, in 1997, the institution of Human Rights Ombudsman was set up in order to defend citizens' rights and freedoms.

Within the United Nations Decade for Human Rights Education, Romania has been carrying out a vast national programme of action targeted towards consolidating respect for fundamental freedoms and democratic values through education and information. It has brought together governmental representatives, various actors from civil society, national human rights institutions, academics and other personalities in joint endeavours to achieve human rights objectives.

The protection of the rights of the child represents one of the major concerns of the Government of Romania. Likewise, the objective of ensuring gender equality is regarded as a prerequisite for sound and democratic development of the society.

The overall activity of human rights protection is being carried out in Romania in keeping with the principles and guidelines of the Universal Declaration of Human Rights and with the Vienna commitments.

There is a growing awareness that strengthening human rights is closely related to the strengthening of democracy, good governance and the rule of law. I wish to recall, in this context, the international movement of new or restored democracies which, over the past 10 years, has embraced all the continents and has been conducted in cooperation with the United Nations. My country had the honour to host, in September 1997, the Third International Conference of New or Restored Democracies. The principles and orientations of the three International Conferences organized so far on this topic highlight the idea that a democratic system of government, based on full respect for human rights and the rule of law, provides the best framework for ensuring lasting solutions to the political, economic and social problems of any society.

In conclusion, I would like to reaffirm the conviction of my delegation that we should use the momentum created by the Human Rights Year, 1998, to reinforce our common efforts aimed at the full implementation of international human rights standards and norms.

**The Acting President** (*interpretation from Russian*): I now call on the Minister of Justice of Lithuania, Mr. Vytautas Pakalniskis.

**Mr. Pakalniškis** (Lithuania) (*spoke in Lithuanian: English text furnished by the delegation*): On behalf of the Government of the Republic of Lithuania, I would like to sincerely congratulate the winners of the Human Rights Prizes. Lithuania associated itself and fully supports with the statement of the European Union presented today by the representative of Austria.

Fifty years ago, shocked by the Second World War, which subjected millions of individuals to unbearable torment, stalled the development of States and forcibly interrupted their statehood, humankind undertook to found a system based on international law and respect for the protection of human rights.

*The President took the Chair.*

The decades that followed brought inevitable changes in the international political climate, the establishment of regional organizations, reform or collapse of totalitarian regimes, a strong and more active civil society and an expansion of the network of non-governmental organizations. The international community also gradually modified the doctrines of international law that recognized States as the only subject of international law and granted them exceptional power over decisions on domestic issues within their jurisdiction. These changes further contributed to the development of the theories of the protection of human rights and allowed the definition of human rights by Louis Henkin to be incorporated into the United Nations system of human rights protection.

Today, 50 years later, the international community can be proud of the Universal Declaration of Human Rights — the instrument that declares that human rights are universal, indivisible, interdependent and interrelated, the instrument that has developed the system of the United Nations conventions for the protection of human rights, which in their turn laid down legal standards for the abolition of racial discrimination and the promotion of political, civil, economic and social rights, the instrument that has been accepted by the entire world community. This Declaration, together with other United Nations conventions for the protection of human rights, has become an integral part of the Lithuanian legal system, without any reservations.

The Secretary-General's encouragement of integrating human rights protection into all spheres of United Nations activities, the dynamic functioning of the United Nations High Commissioners for Human Rights and for Refugees and the intended reform of treaty bodies' control mechanisms bring hope that in the near future the United Nations system, in addition to acquiring universal scope, will also effectively protect the rights of the individual.

In order to achieve the universal effectiveness of the system of human rights protection, we have to recognize, in my opinion, two essential points. First, States must pursue moral domestic policies that would ensure fundamental human rights and freedoms for their residents. We must educate individuals who understand their rights and duties to the State. We must create a State capable of producing such individuals. Contemporary history confirms that respect for the rights of minorities often becomes an indicator of the internal moral policy of the State. We should strive for States' attitudes towards minorities that would prove them tolerant, without xenophobia, racism or anti-Semitism. Therefore, let us extend our focus from the development of progressive legal norms or their incorporation into national legal systems to the development of education.

The second aspect is closely related. The potential of regional structures should be fully employed in the activities of the United Nations. Documents for the protection of human rights of the 1975 Conference on Security and Cooperation in Europe, the Helsinki process, made possible in the then totalitarian States of Eastern and Central Europe the emergence of active political movements that formed individuals' attitudes to freedom of thought, conscience, religion and personal inviolability. The movements and their leaders limited authoritarian powers and created a conscious society, a part of which undertook peaceful reforms in the region in 1988. That was only a part of the potential that could have been used during the cold-war period. The changes in political climate, the application of the experience of the Council of Europe, the Organization for Security and Cooperation in Europe, the Organization of African Unity, the Organization of American States and other regional structures with effectively functioning structures for the protection of human rights have opened up prospects for close, long-term cooperation in human rights protection, in the maintenance of peace and in the distribution of functions. The experience of regional organizations, in my opinion, will facilitate a deeper comprehension of the complexity of the problems the international community faces and will contribute to the reaching of universally accepted decisions.

The influence of civil society, the attention of the international community and regional organizations are the keys to the settlement of fundamental issues. Due to the moratorium on capital punishment declared by the President of the Republic in 1995, Lithuania may be considered, de facto, a State that has abolished the practice. It is significant that yesterday, upon the request of the Lithuanian Parliament, the Constitutional Court of Lithuania held that capital punishment contradicts the Constitution. This is an essential step towards the abolition of capital punishment. I believe that the new criminal code will provide for no capital punishment.

Lithuania's accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and to the Sixth Protocol of the European Convention for the Protection of Human Rights and Fundamental Freedoms will, in the near future, support the progressive aspirations of the international community on this issue.

Today, Lithuania became the sixty-sixth State to sign the Statute of the International Criminal Court. The establishment of this powerful international instrument for the enforcement of international criminal law will save many lives and free society from ethnic cleansing and from the horror of physical and psychological mutilation. To put it in the words of Mr. Philippe Kirsch, Chairman of the Committee of the Whole at the Rome Conference:

> "A clarion call has gone out to potential perpetrators of unspeakable atrocities that the world is not going to stand by silently and watch the commission of outrageous violations of international law."

**The President** (*interpretation from Spanish*): I should like to consult members regarding the organization of the rest of the commemorative meetings.

As of now, we still have 89 speakers remaining on the list. Even in the optimistic case that every statement were to last five minutes, it would still take approximately eight hours of meeting time, at least, to exhaust the list.

As members are aware, this meeting will adjourn at 6 p.m. and the next will begin at 9.30 p.m. If Member States wish to hear all the speakers on the list tonight, the evening meeting will have to continue until 3 a.m. or 4 a.m.

In view of this, I should like to propose a compromise solution that we adjourn this meeting at 6 p.m., as planned, resume at 9.30 p.m. and continue until 12 midnight. It would seem reasonable that the entire day will have been devoted to this commemoration and that we continue to hear the remaining speakers at 10 a.m. tomorrow. I know that some delegations have expressed their interest in not reopening the session after Mr. Pavarotti's performance, but that others wish to continue. We are trying to coordinate both positions by setting a limit that we think would be reasonable and in keeping with the number of speakers remaining on the list.

If there is no substantive objection, may I take it that the General Assembly wishes to act accordingly?

*It was so decided.*

**The President** (*interpretation from Spanish*): I now call on the representative of Malta.

**Mr. Saliba** (Malta): First of all, I must commend you, Sir, on the way you always succeed in finding the middle way. You are very good at it.

I feel honoured and privileged to address the General Assembly today on the occasion of this important anniversary. The United Nations is uniquely positioned to promote and protect the universal enjoyment of human dignity. Significantly, one of the first tasks that this Organization set itself was the drafting of a Universal Declaration of Human Rights. Commemorating the fiftieth anniversary of its adoption by this Assembly, we renew our commitment to its content. That document neither is outdated, nor can it be replaced.

Malta's track record in the sphere of human rights is one it is proud of. Malta's unconditional commitment to the protection of the human rights and fundamental freedoms of the individual are entrenched in chapter VI of its Constitution. Furthermore, we attach fundamental importance to the essential role that the United Nations is called upon to fulfil in the promotion of human rights. During this year's general debate of the General Assembly, my Deputy Prime Minister made the following observations in regard to the Declaration being commemorated today:

> "There is, however, a significant lack in this Declaration. It is an instrument with no judicial mechanisms and sanctions. Has the time arrived to learn from the experience of the regional human rights conventions, in particular the European Convention, which through its mechanisms instituted the European Court of Human Rights and through the right of individual petition further guarantees a judicial process aimed at ensuring effective enforcement?" (*A/53/PV.19, p. 2*)

Human rights have value only if they become living realities in a society. Perhaps there is no more tiring hypocrisy than living with human rights proclaimed on paper and disregarded in practice. It is a saddening fact that, on the eve of the twenty-first century, human beings are still living in subhuman conditions with their fundamental human rights denied. As appropriately stated by the High Commissioner for Human Rights,

> "in 50 years since the United Nations Universal Declaration set out the basic standards of human rights, there has been systematic violation of almost every one of its 30 articles".

It is against this discouraging backdrop that Malta feels the urgent need to do its part, no matter how small, to help eradicate suffering from this world and promote and protect human rights.

The Vienna Declaration and Programme of Action reaffirm a number of principles that Malta considers to be of paramount importance in this context. Primary among these are the universal nature of these rights and freedoms, which the Declaration holds to be beyond question, and the recognition that their promotion and protection is both a primary objective of the United Nations as well as a legitimate concern of the international community. It is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.

Malta would also like to highlight the Vienna Declaration's reaffirmation of the right to development as a universal and inalienable right, with the person as the central subject of development. We believe that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights.

To commemorate the fiftieth anniversary of the Universal Declaration of Human Rights, the Government of Malta held a number of activities, amongst which were the publication and distribution of the Declaration in the Maltese language and the publication of a questionnaire in the form of a booklet addressed to school children to test their knowledge of the Universal Declaration.

In conclusion, this delegation would like to take the opportunity to pay tribute to the hundreds of non-governmental organizations for their important contribution to increasing public awareness of human rights issues, to their conduct of education, training and research in this field, and to the promotion and protection of human rights and fundamental freedoms.

**The President** (*interpretation from Spanish*): I call on the representative of Costa Rica.

**Mr. Niehaus** (Costa Rica) (*interpretation from Spanish*): Fifty years ago today, on 10 December 1948, the international community, with more courage than lyricism, indicated that recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. That stellar moment in the history of mankind, showed us, in terms both simple and fundamental, a rational path to follow, a concrete programme aimed at ensuring, with the law as its instrument, the coexistence of men and women on dignified and unshakable bases.

What was adopted then was not just one more multilateral treaty. On the contrary, that Declaration represented an important qualitative difference in the concept of an international community and it obtained and ensured the commitment of all United Nations Member States to act in favour of universal and effective respect for the full range of rights inherent to the individual.

During these five decades, the Universal Declaration has become a constant and inexhaustible source for the progressive creation of a group of legal instruments and national, regional and international institutions dedicated to the protection and the promotion of all human rights.

The International Covenants, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination constitute irrefutable proof of the greatness of the Declaration, which has transcended its beginnings to become a genuine and effective beacon of light that has illuminated and guided the international community over the past 50 years.

Together with this international *corpus juris*, the spirit and the simple and practical meaning of the Universal Declaration has also been reflected in the establishment of a number of wide-ranging institutions that promote and protect the observance of fundamental freedoms. The various commissions and committees and the Office of the United Nations High Commissioner for Human Rights, of which my country is a proud supporter, constitute a strong institutional structure with solid ethical and moral foundations, which struggles daily throughout the world to ensure all men and women respect for their rights.

However, no one can deny that during these 50 years our experience in establishing an effective system to implement rights enumerated in the Declaration and subsequently developed in agreements has been inadequate, and that in 1998 we cannot attend this forum with the same joy as did our predecessors five decades ago and declare total victory in this noble and lofty cause.

Although we have made much progress along the long path embarked upon in 1948, and although we can say that since the adoption of the Universal Declaration respect for human rights has advanced in many places and the world in general may seem more liveable, the harsh and undeniable reality is that much remains to be done and we are still indebted to those who have marked the way for us. This duty, this responsibility, which we have not completely fulfilled, this circle we have not yet closed, includes matters as vital as having all United Nations Member States, without exception, adhere to all human rights multilateral instruments and it entails unconditionally acceptance by all of us of the competence of the international specialized agencies.

Fundamentally, it means the continuity, consolidation and deepening of the progressive and effective development of the global system for the promotion and the protection of human rights through the designing and establishment of genuine, solid jurisdictional institutions, such as the recently created International Criminal Court, which pursue and punish violations and oppose impunity on the part of those who have violated fundamental freedoms of men and women in any part of the world and under any circumstances.

It necessarily presupposes that we must advance towards the definition and full recognition of issues that, although incorporated in the list of human rights, thus far have not been sufficiently specified and developed, such as resolute protection of the rights of women, the promotion and the true protection of economic and social rights and the acceptance, active participation and full incorporation of civil society in the national, regional and multilateral systems for the promotion and the protection of fundamental freedoms.

Fifty years after the adoption of the Universal Declaration, we are witnessing what our Secretary-General has called the emergence of a new universal conscience. One year before the new millennium, although full observance of all human rights remains an idea shared by all, and the construction of the vast temple to which our mentor René Cassin referred remains unfinished, Costa Rica is hopeful that we are witnessing a new, stellar moment in the history of humankind in which a new culture of peace and tolerance is beginning to take shape, allowing us to meet the new challenges and opportunities of that shining future. The triumph of the human being in the twenty-first century will therefore depend on the full respect and observance of all human rights being the responsibility of each of us and of all humankind.

**The President** (*interpretation from Spanish*): I call on the representative of Pakistan.

**Mr. Ghafoor** (Pakistan): The adoption of the Universal Declaration of Human Rights on 10 December 1948 was essentially a response to the excesses perpetrated by the occupying forces against civilian populations during the Second World War. It reflected the conviction that protection of human rights and fundamental freedoms constituted the basis for the maintenance of international peace.

The Declaration marked the beginning of the development of human rights law, as distinct from the law of war. The concepts of human rights, however, were not new. Mankind had known these principles since its birth. They had their spiritual and philosophical underpinnings in religion and society.

The monotheistic religions have always regarded the dignity and worth of human beings as sacred and inviolable. Their common beliefs provided the philosophical basis for equality of all human beings, a common humanity and a universal brotherhood. Their traditional value systems evolved over centuries in various cultures, and societies further sanctified these fundamental principles.

The adoption of the Universal Declaration, nevertheless, invigorated the worldwide movement for human rights. In the past five decades, classical colonialization has run its course, apartheid has died, there has existed a much greater awareness about the rights of weaker segments of society than ever before and human rights law has become a mainstream subject in law schools.

The United Nations and the United Nations Commission on Human Rights and its mechanisms and procedures have played an important role in this effort. Civil society, represented by non-governmental organizations, both national and international, has played a pivotal role in revolutionizing the international human rights movement. All of them deserve our applause for their untiring efforts in promoting the dignity of the human person.

But the question remains, have we achieved the vision and objectives of the Universal Declaration of Human Rights? Despite an impressive array of legal instruments which have been codified over the past five decades, I am afraid the response remains far from positive.

Racism is still alive, women and children continue to suffer, particularly in armed conflicts, and the situation of refugees, minorities and other vulnerable groups is far from satisfactory.

Even today, brutal and gross violations of human rights continue to occur in various parts of the world. Genocide in the Great Lakes region, ethnic cleansing in Bosnia and Herzegovina, massacres in Kosovo and continued human rights violations in Palestine and Kashmir, where people are struggling for their right to self-determination, reflect the insensitivity of perpetrators of such heinous crimes against humanity.

An issue of particular concern for us has been the recent tendency in some quarters to equate Islam with fundamentalism and terrorism. In some societies Muslims have become a favourite target of racist groups and hate propaganda. This "Islamophobia" has grave implications for our endeavours to build a peaceful world. Islam is a religion of peace. It teaches brotherhood and abhors extremism and fanaticism. We should resist the temptation of inventing imaginary enemies to satisfy narrow political motives.

We must not be taken in by the thesis of a clash of civilizations. Instead, we must work to promote coexistence among civilizations. Mankind can and should learn from the enriching experience of various civilizations. We welcome the recent initiative of the General Assembly which calls for dialogue among civilizations. We regard the designation of the year 2001 as the United Nations Year of Dialogue among Civilizations as a positive step in this direction.

Let us face the reality that interpretational problems still exist with some of the concepts being promoted under the rubric of human rights. We must appreciate the fact that every society has its own cultural and religious ethos, which must be respected. Experience shows that the collapse of a local system of values invariably leads to egregious human rights violations and social disintegration. The developments in the Great Lakes region are the most instructive reminder of this tragedy.

We therefore should endeavour to strengthen existing synergies between local values and human rights law. Human rights should not be used for finger-pointing and for political considerations. This evokes resistance and engenders a confrontation which negates the cause of human rights. Instead, the promotion of human rights should be based on cooperation and constructive engagement among nations and countries.

The existence of widespread poverty and underdevelopment constitute major impediments to the full enjoyment of all human rights by people in the developing countries. Over a billion people live in conditions of abject poverty. This number is increasing at an alarming speed, as the gap between the rich and poor continues to widen. Development and the eradication of poverty should be identified as priority issues for the UnitedNations in the next century. It is our conviction that a faithful implementation of the right to development, which provides an indispensable link between political and economic rights, would facilitate the creation of an enabling environment for the full enjoyment of all human rights by all. It would also lay a solid foundation for the globalization of prosperity and peace, which is the true vision of the Universal Declaration of Human Rights. We owe this to our future generations.

**The President** (*interpretation from Spanish*): I now call on the representative of Uganda.

**Mr. Semakula Kiwanuka** (Uganda): As we commemorate the fiftieth anniversary of the Universal Declaration of Human Rights, and as we end today the Human Rights Year which began on 10 December 1997, it is fitting to recognize with satisfaction the long journey and the progress that has been made since 1948, when the General Assembly adopted the Universal Declaration of Human Rights. Since then, vigorous efforts have been made by the international community to promote and protect the development of those rights.

Today's commemoration is not only an opportunity to celebrate but also a challenge to give a new push to human rights, which need to be promoted and strengthened worldwide. It is equally important that we assess our progress so as to chart new ways for the future development of human rights as a birthright of all peoples.

Notable among the developments in the field of human rights was the development of the rights of women and the resultant narrowing of the gender gap. The struggle for women's rights has gained momentum during the past two decades. Beginning with the 1975 World Conference of the International Women's Year and the International Women's Year Tribune in Mexico City, and continuing through the world conferences and non-governmental organization forums of 1980, in Copenhagen and 1985, in Nairobi, and the series of agenda-setting United Nations world conferences and non-governmental organization forums of the 1990s that culminated in the 1995 Fourth World Conference on Women in Beijing, women have developed and discovered new skills and tools that they are now using to leverage for change on behalf of women's rights at global, national and community levels.

The following is just one example among many: in the four-year period between 1992 and 1996, international conferences acknowledged and pledged to advance reproductive rights. Such recognition is critical in advancing women's human rights. Of equal importance is the right of women to combat all forms of violence against women.

An equally significant development and milestone is the Convention on the Rights of the Child, which was adopted by the General Assembly on 20 November 1989 and came into force on 2 September 1990. The Convention provided the international community with a legal instrument that binds all States parties to a set of norms designed to protect our future generations. The Convention on the Rights of the Child is one of those rare legal texts that embody a vision of the future and reaffirm the link established by the Charter between future generations and human rights. It is, however, one of the ironies of history that one of the world's great Powers has found it acceptable not to ratify this Convention.

Ironically, after the end of the cold war, the world is experiencing a growing disparity between North and South in wealth and access to resources. Globalization has coincided with increasing social problems, poverty and joblessness. There is a strong link between human rights and development.

It is often asserted that human values, far from being universal, vary a great deal according to different cultural perspectives. Thus, cultural relativism is assumed to be in conflict with the concept of universal human rights. This presumed conflict would not exist if we remembered the famous statement by one of the most illustrious champions of human rights, Mrs. Eleanor Roosevelt, who asked, "Where, after all, do human rights begin?" And she answered, "In small places, close to home". In other words, human rights are universal rights, felt in their universality. Their indivisibility and interdependence are manifested in the fact that they are mutually reinforcing. That interdependence has made human rights essential benchmarks for democratic governance.

Turning specifically to Africa, we can rightly say that the root cause of endless conflict is the absence, denial or violation of human rights. But with the support of its friends and the United Nations, Africa can buttress human rights and consolidate peace, democracy and reconstruction after years of war, turmoil and suffering. To achieve durable peace, we need to create durable institutional structures which would give substance to the goal set out in the United Nations Charter and in the Universal Declaration of Human Rights.

Before I conclude, allow me to refer very briefly to some notable achievements in Uganda during the past 12 years under the National Resistance Movement Government and the leadership of President Museveni. After decades of brutal dictatorship, when human rights were trampled underfoot and swept away, the rule of law has been restored. There is security of life and property. Under the new Constitution, promulgated in 1995, democratic governance to empower the grass roots and build civil society is being implemented. An independent Human Rights Commission with a Chairperson and five Commissioners was established in 1996. Not only does it undertake human rights education, lecture series and workshops, but it also investigates violations of human rights, including those by government. The progress that has been made so far is the result of political will and of a firm commitment at the top, which sees respect for the dignity of all Ugandans as the supreme goal of the Government.

In conclusion, let us pay tribute to the achievements of the past 50 years and let us never forget the words of the former Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, who said that in the Universal Declaration of Human Rights, the United Nations stated in clear and simple terms the rights which belong equally to every person. He said "The rights belong to you. They are yours." Human rights are not Western rights.

**The President** (*interpretation from Spanish*): I give the floor to the Minister of the Interior of Venezuela, Mr. Asdrúbal Aguiar.

**Mr. Aguiar** (Venezuela) (*interpretation from Spanish*): Venezuela and its Government are rightly pleased to participate in this commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights. I bring a message renewing our people's commitment to the provisions of this great code of human civilization, whose moral and legal force is today indisputable.

If the efforts made at the time of the creation of the Declaration, and the intellect that gave life to it, leave us with a debt of gratitude to the memory of René Cassin, it is no less certain that the promotion of public freedoms as a foundation of the body politic is an inseparable part of the philosophy of Bolívar, which we have made our own.

Today, Venezuela is commemorating the event with solemn acts similar to this one. Exactly a year ago the President of the Republic, Rafael Caldera, responded to the appeal made by the United Nations and entrusted our national commission on human rights with the responsibility for carrying out a broad programme of promotion and dissemination worthy of such a memorable occasion. The national plan of human rights has been perhaps the most significant outcome of the exemplary joint work carried out, in solidarity and without abandoning their various responsibilities, by the national executive branch and the non-governmental human rights organizations. Today, my Government was also to sign a framework agreement with various bodies and agencies of the United Nations system on the promotion of and education in human rights.

Five decades after the adoption of the Universal Declaration, we can say without reservation that this coming together of human rights with the rights of individuals as they relate to their social environment is both the outcome of the various cultural and universal concepts of humankind and of society and the place at which those concepts meet. The Declaration, which is free from grandiloquence and dogmatism, provides a common, timeless foundation for practising pluralism and tolerance and living together in freedom, inspired by the idea of peace among all people.

My Government is conscious of the heavy debt that we still owe and that calls all Venezuelans to shared action in the search for a perfectible order that would guarantee a stable climate for ensuring respect for human rights. Every day we make considerable efforts to that end. We have honoured our international commitments in this respect. We have joined almost all of the international instruments adopted by the international and regional systems to protect human rights, and we have recognized the mandatory jurisdiction of the Inter-American Court of Human Rights.

In the recent elections of 8 November and 6 December, in which a decisive majority of Venezuelans participated in an exemplary and civic manner, we remade, without any violence, our entire national political structure and reaffirmed our sacred commitment to peace.

In 1989 the system collapsed because it was based on equality but disregarded freedom. The current system, which is in its infancy, is global and is based on liberty; but it will have the same fate if it disregards equality. That is why, if we are to eradicate intolerance and establish a culture of peace and of human rights, there is no alternative but to get to the very roots of the resentment, radicalization, dogmatism or fatalism of our time. Poverty, ignorance, discrimination and exclusion are the new and modern forms assumed by totalitarianism, the need to do away with which led to the creation of the Universal Declaration of Human Rights, which we are commemorating today.

Article 28 of the Universal Declaration of Human Rights, which, according to René Cassin, was the frontispiece of the temple of human rights, today assumes exemplary value for the forging and the promotion of a social and international order in which proclaimed rights and freedoms can be fully realized. We pay tribute in this regard to the recent adoption in Rome of the Statute of the International Criminal Court and to the adoption yesterday by the Assembly of the human rights defenders Declaration.

On the eve of the new Christian millennium, and as we face the challenges of an era of artificial intelligence, there is an urgent need — as affirmed in the encyclical *Pacem in Terris* — for a suitable order to provide for tranquillity, founded on truth, guided by justice, driven and tempered by charity and developed in freedom. Such an order demands that any assault on human rights be not merely condemned in moral and political terms. It must be prevented through legal means established by the international community, which will reinvigorate the weak and sometimes absent State institutions and give meaning to the revitalizing commitment of their essential participants.

**The President** (*interpretation from Spanish*): In accordance with General Assembly resolution 49/2 of 19 October 1994, I now call on the President of the International Federation of Red Cross and Red Crescent Societies, Ms. Astrid Heiberg.

**Ms. Heiberg** (International Federation of Red Cross and Red Crescent Societies): As President of the International Federation of Red Cross and Red Crescent Societies, which was founded with a view to preventing and alleviating human suffering, I am honoured to speak here today as the General Assembly commemorates the fiftieth anniversary of the Universal Declaration of Human Rights. Today, this Declaration is so universally accepted that one can easily forget what an achievement it was and the tremendous moral and legal impact it has had. It has guided the work to promote, protect and improve human rights worldwide. It has inspired regional human rights mechanisms and has, to a large extent, become international customary law. It is indeed a common ground of values, crossing boundaries and cultures.

I wish to congratulate the Assembly not only for commemorating the Universal Declaration, but for having taken a new, bold step in promoting and expanding the scope of human rights promotion. Yesterday's General Assembly Declaration on human rights defenders is really in the spirit of those who adopted the Universal Declaration 50 years ago, and it breaks new ground for human rights promotion and protection. Not only does it reaffirm the commitment of the United Nations Member States to human rights as universal, indivisible, interdependent and interrelated, but it also declares the rights of those individuals and groups that strive for the protection and realization of human rights and fundamental freedoms at both national and international levels.

For organizations such as the Red Cross and Red Crescent Societies, it is of high importance that all United Nations Member States approve the right of everybody to advocate human rights and their acceptance. The fundamental principles and international humanitarian law are, for us, not only law in books but law in action. It is first and foremost through our humanitarian activities that the movement supports and practises human rights, providing food aid, health services and shelter for the victims of disasters. These humanitarian activities can be seen as both human rights protection and human rights promotion. They protect human rights by providing services for health and well-being, and they promote human rights in that they restore human dignity, because where human dignity is threatened, the notion of human rights and respect for them will inevitably erode.

However, in dealing with food aid, health care and shelter, and thereby defending human rights, the Federation and other members of the humanitarian community are faced with problems which relate not only to scarce resources, logistics and security, but also to policies imposed by this world Organization — I am referring to United Nations sanctions.

Sanctions are a legitimate tool of diplomacy. As President Woodrow Wilson once put it, they provide a peaceful, silent and deadly remedy. By that logic, sanctions are like unarmed warfare. Just as, according to international humanitarian law, the end does not justify any means in warfare, so also, in the view of the Federation, the end does not justify any means with regard to the imposition of sanctions. Equally, the principle of proportionality suggests that the harm inflicted by sanctions to achieve change should not be out of proportion to the anticipated gains.

Let us be clear: sanctions can kill. They also frequently impoverish most those who are already vulnerable, while in the worst cases actually creating the possibility of greater wealth for those who find ways to exploit the situation through crime and smuggling. In short, sanctions are a blunt instrument, damaging most those who are powerless to effect the political change the international community demands. For the Security Council, imposing sanctions exposes a potentially fundamental contradiction in implementing two of its core principles: promoting peace and promoting human rights. Sanctions are intended to deal with threats to the peace and with human rights violations. But they also risk undermining basic human rights during the course of their implementation.

At the very least, it should be possible to assess the possible negative impact of sanctions and to monitor their effects. One of the fundamental principles of the Red Cross and Red Crescent movement is humanity. We strive to prevent and alleviate human suffering, to protect health and to promote life. Therefore, in the defence of human rights, we look forward to working together with the Assembly and all interested parties in order not only to promote respect for the Universal Declaration of Human Rights, but also to ensure the enjoyment of human rights by all peoples of the world.

*The meeting rose at 6.15 p.m.*